

**GARRARD COUNTY  
ADMINISTRATIVE CODE**

**Adopted by:**

**Action of Garrard Fiscal Court**

**INTRODUCTION**  
**PURPOSE AND AUTHORITY**

The General Assembly of the Commonwealth of Kentucky enacted KRS 68.005 in 1978 for the purpose of promoting efficient administration of County government. KRS 68.005 requires the Fiscal Court to adopt a County administrative code which includes, but not limited to, procedures and designation of responsibility for the following:

- (1) General administration of the office of County Judge-Executive (hereinafter ‘County Judge’), County administrative agencies and public authorities;
- (2) Administration of County fiscal affairs, including budget formulation; receipt and disbursement of County funds, preparation of records required for the County audit, and for filing of claims against the County ;
- (3) Personnel administration, including description and classification of non-elected positions, selection, assignment, supervision and discipline of employees, employee complaints and the County affirmative action program;
- (4) County purchasing and award of contracts; and
- (5) Delivery of County services.

The County Judge, as the chief executive officer of the County , is responsible for the organization and management of the administrative functions of County government. The Fiscal Court sets the County ’s policies and priorities. The County Judge must execute these policies and priorities. The statute provides only general guidance as to the form and substance of a County 's internal administrative organization. For this reason, the Fiscal Court of Garrard County enacts the following County Administrative Code.

**Garrard County Administrative Code**

Garrard Fiscal Court does hereby establish a County Administrative Code; dividing the administrative service of Garrard County into departments under the County Judge; prescribing administrative policy and procedure; prescribing the function and duties of administrative units and officials of the government; prescribing the administration of fiscal affairs and procurement procedures; and prescribing for the delivery of County services. The Garrard County Fiscal Court has previously adopted a Personnel Policy and Procedures Manual by ordinance, and to the extent that this Administrative Code conflicts with the Personnel Policy and Procedures Manual, the Personnel Policy and Procedures Manual shall control.

**BE IT ADOPTED BY THE FISCAL COURT OF GARRARD COUNTY:**

**CHAPTER 1 GENERAL PROVISIONS**

**SECTION 1.1 Short Title**

A. This document shall be known and may be cited as the “Garrard County Administrative Code”.

**SECTION 1.2 Definitions**

A. As used in this Code, unless the context otherwise requires:

- (1) *Chief Executive* is the County Judge of Garrard County .
- (2) *County* is Garrard County , Kentucky, a governmental entity.
- (3) *Fiscal Court* is the County body vested with the legislative powers of Garrard County .
- (4) *Elected Official* means the County Clerk, Sheriff, Jailer and County Attorney.

**SECTION 1.3 Amendments**

A. The Fiscal Court shall review the Garrard County Administrative Code annually during the month of June and may by a two-thirds (2/3) majority of the entire Fiscal Court amend the Garrard County Administrative Code at that time. The County Judge may at

other times prepare and submit amendments to the Garrard County Administrative Code for approval by the majority of the Fiscal Court.

## **CHAPTER 2 GENERAL ADMINISTRATION**

### **SECTION 2.1 County Judge**

A. The Garrard County Judge shall be the Chief Executive and Administrative Officer of the County and shall have all the powers and perform all the duties of an executive and administrative nature consistent with the Kentucky Constitution, Kentucky Revised Statutes and the Fiscal Court.

B. The responsibilities and/or duties of the Garrard County Judge, as defined by KRS 67.710, are as follows:

- (1) Provide for the execution of all ordinances and resolutions of the Fiscal Court, execute all contracts entered into by the Fiscal Court, and provide for the execution of all laws by the state subject to enforcement by him or by officers who are under his direction and supervision;
- (2) Prepare and submit to the Fiscal Court for approval an administrative code incorporating the details of administrative procedure for the operation of the County and review such code and suggest revisions periodically or at the request of the Fiscal Court;
- (3) Furnish the Fiscal Court with information concerning the operations of the County departments, boards, or commissions, necessary for the Fiscal Court to exercise its powers or as requested by the Fiscal Court;
- (4) Require all officials, elected or appointed, whose offices utilize County funds, and all boards, special districts, and commissions exclusive of city governments and their agencies located within the County to make a detailed annual financial report to the Fiscal Court concerning the business and condition of their office, department, board, commission, or special districts;
- (5) Consistent with procedures set forth in KRS Chapter 68, prepare and submit to the Fiscal Court an annual budget and administer the provisions of the budget when adopted by the Fiscal Court;
- (6) Keep the Fiscal Court fully advised as to the financial condition and needs of the County and make such other reports from time to time as required by the Fiscal Court or as he deems necessary;
- (7) Exercise, pursuant to the Garrard County Personnel Policy the authority to appoint, supervise, suspend, and remove County personnel (unless otherwise provided by state law); and
- (8) With the approval of the Fiscal Court, make appointments to or remove members from such boards, commissions, and designated administrative positions as the Fiscal Court, charter, law or ordinance may create. The requirement of Fiscal Court approval must be designated as such in the County administrative code or the County charter.

### **SECTION 2.2 Procedures for Organization/Reorganization of County Departments and Agencies**

A. The County Judge may create, abolish or combine any County department or agency or transfer a function from one department or agency to another, provided that the County Judge submits a plan for the reorganization to the Fiscal Court.

B. The reorganization plan shall state the need, how the reorganization will meet the need, the services and functions to be expanded, abolished, or reduced as a result of the plan, the long and short term costs, and the plan's impact on existing and/or proposed personnel and services.

C. The plan shall be submitted to the Fiscal Court for approval at a meeting of the Fiscal Court. If not disapproved within thirty (30) days, the plan shall become effective.

D. The County Judge or the Fiscal Court may cause the records and accounts of any administrative agency to be examined at any time.

### **SECTION 2.3 Special Districts**

A. The County Judge may, with approval of the Fiscal Court, create any special district; or abolish or combine any special districts, provided such district was created solely by the County.

### **SECTION 2.4 County Representation on Boards and Commissions**

A. The County Judge shall assure the representation of the County on all boards, commissions, special districts, and joint city-County programs in which County participation is required.

B. Every independent board, commission, agency or special district which requires participation by County government shall submit a copy of its by-laws and a list of its governing body members to the County Judge and the Fiscal Court within thirty (30) days of the start of the County term of office. The independent board, commission, agency or special district shall submit a revised copy of its by-laws within 30 days of their approval when amended. When a vacancy exists, the list of governing body members should be submitted to the County Judge no later than thirty (30) days before the County Judge nominates a candidate for the vacancy.

### **SECTION 2.5 Appointed Positions**

A. The County Judge may appoint an executive secretary to assist with the execution of his administrative duties.

B. The County Judge may appoint a Deputy County Judge/Executive.

C. The County Judge may appoint, subject to the approval of the Fiscal Court, a budget officer to assist with the County fiscal affairs.

D. The County Judge may appoint, pursuant to the Garrard County Personnel Policy, other personnel to assist with the County administrative and fiscal duties.

E. A member of the Fiscal Court may be appointed by a majority of the Fiscal Court to temporarily assume the duties of the County Judge, where both the County Judge and the Deputy County Judge/Executive, if a Deputy County Judge/Executive has been appointed, are absent from the County during an Emergency, or where both are incapacitated due to sickness, injury, or mental incompetence.

### **SECTION 2.6 Procedures for Appointment/Removal of Administrative Personnel and Members of Boards and Commissions**

A. The County Judge shall inform the Fiscal Court of any open position on County Boards or Commissions, or in designated administrative positions.

B. The County Judge shall appoint qualified individuals to administrative positions and to Boards and Commissions in writing, with the writing submitted to Fiscal Court.

C. The Fiscal Court shall act on such nomination within thirty (30) days. If the Fiscal Court does not act on the nomination within the thirty (30) day period, said appointment shall be deemed approved by the Fiscal Court;

D. The appointment shall be filed and entered into by index into the Garrard County Executive Order Book which shall be maintained in the Office of the County Judge.

E. The Garrard County Fiscal Court may require a nominee to appear at a public hearing for the purpose of questioning the nominee about matters relating to the appointed position. The nominee shall be notified by mail if this is the intention of the Fiscal Court. The Fiscal Court shall provide the nominee with an opportunity to make a statement to the Fiscal Court concerning his nomination and qualifications.

F. No person shall be selected as a member of a board or commission or for an administrative position if the person holds or is employed in an incompatible position.

### **SECTION 2.7 Garrard County Procedures for Administrative Agencies**

A. Each Garrard County Agency shall maintain the following records:

- (1) A financial record of the agency's activities.
- (2) Within thirty (30) days after the close of each fiscal year, each administrative agency shall make full report to the County Judge and to the Fiscal Court. The report shall include a financial statement and the general scope of the operation of the agency during the preceding year.
- (3) Each administrative agency requesting Garrard County budget funds shall submit a detailed annual budget request to the County Judge by April 1st of each year.
- (4) Each administrative agency of Garrard County shall keep minutes of its meetings to reflect on record its official actions.

## **CHAPTER 3 OPERATION OF FISCAL COURT**

### **SECTION 3.1 Procedures for Meetings of Fiscal Court**

A. The County Judge shall annually set the dates and times for all regular Fiscal Court meetings via Executive Order. The Executive Order shall be issued no later than January 1<sup>st</sup> of each year, except in the first year of the term of office, when the Executive Order shall be entered no later than one week from the date the term begins.

B. All meetings of members of Fiscal Court at which any public business is discussed or any action taken shall be open to the public in accordance with the Kentucky Open Meetings Act (KRS Chp. 61).

C. The County Judge may call a Special Meeting of the Fiscal Court for the purpose of transacting any business over which the Fiscal Court has jurisdiction.

D. Whenever the County Judge is unable, or refuses to call a Special Meeting, a majority of the Fiscal Court may call a Special Meeting.

#### **NOTE**

The County Judge must refuse a request to call a Special Meeting, with the request made by a Fiscal Court member, prior to the majority of the Fiscal Court being able to call a Special Meeting.

E. Special meetings shall be called and conducted in accordance with the Kentucky Open Meetings Act (KRS Chp. 61).

### **SECTION 3.2 Presiding Officer**

A. The County Judge shall be the presiding officer of the Fiscal Court at all regular and special meetings.

B. If the County Judge is not present or able to preside, a majority of the magistrates shall elect one of their members to preside.

### **SECTION 3.3 Quorum**

A. Not less than a majority of the members of the Fiscal Court shall constitute a quorum for the transaction of business.

B. No proposition shall be adopted except with the concurrence of at least a majority of the members present; with the exception that passage of an ordinance requires a majority of the entire Fiscal Court.

#### **SECTION 3.4 Disturbing Meetings**

A. It shall be unlawful to disturb any meeting of the Fiscal Court or to behave in a disorderly manner at any such meeting.

B. Any person violating any provision of this section may be prosecuted under the appropriate provisions of the Kentucky Penal Code.

#### **SECTION 3.5 Order of Business**

A. At each regular meeting of the Fiscal Court an agenda will be presented prior to the meeting.

B. At each Special or Emergency Meeting of the Fiscal Court, the agenda shall be followed with no other topics presented or discussed during the Special or Emergency Meeting.

C. The County Judge shall prepare an itemized list of all valid bills requiring Fiscal Court approval.

D. No bill shall be approved for payment unless contained in the itemized list for the meeting.

E. A majority of the Fiscal Court members may vote to forgo Section 3.5(D) and approve payment of bills not included on the itemized list as long as the bill is presented to Fiscal Court.

F. The Fiscal Court may approve payment of the list of valid bills as a whole unless there is an objection voiced to any specific item.

#### **SECTION 3.6 Fiscal Court Minutes**

A. The clerk of the Fiscal Court shall attend all meetings of the Fiscal Court and keep a full and complete record of its proceedings.

B. The clerk of the Fiscal Court shall keep an index of all Fiscal Court records and make such index of all Fiscal Court records available for public inspection in accordance with the Kentucky Open Records Act (KRS Chp. 61).

#### **SECTION 3.7 Rules of Order**

A. Except when in conflict with the foregoing provisions, Robert's Rules of Order shall govern the deliberations of the Fiscal Court.

B. The rules of order, other than those prescribed by statute, may be suspended at any time by consent of a majority of the members present at the meeting.

#### **SECTION 3.8 Ordinances, Orders and Resolutions**

A. An "ordinance" means an official written act of the Fiscal Court, the effect of which is general and lasting in nature, which is enforceable within the jurisdiction of the County ; or a lawful appropriation of money.

B. All ordinances shall be introduced in writing; relate to one subject only; and contain a title which expresses the subject; such as, "An Ordinance relating to. . ."

C. There shall be inserted between the title and the body of each County ordinance an enacting clause written in the following manner: "Be It Ordained by the Fiscal Court of the County of Garrard Commonwealth of Kentucky;"

D. County ordinances shall be amended by ordinance and only by setting out in full each amended section;

E. No County ordinance shall be passed until it has been read on two separate days, unless an emergency is properly declared, but ordinances may be read by title and a summary only.

F. No County ordinance shall be passed until it has been published pursuant to KRS Chapter 424. Prior to passage, ordinances may be published by summary. Publication shall include the time, date and place at which the County ordinance will be considered, and the place within the County where a copy of the full text of the proposed ordinance is available for public inspection. In the event consideration for passage is continued from the initial meeting to a subsequent date, no further publication is necessary provided that each meeting, the time, date and place of the next meeting is announced.

G. All County ordinances and amendments shall be published after passage and may be published in summary form unless otherwise directed by the Garrard Fiscal Court.

H. An order or resolution may be utilized for action by the Fiscal Court where the action is specific in nature, not for an uncertain time period, and which is enforceable within county boundaries. Examples of where an order or resolution may be appropriately used include: (1) Approval of claims against the county; and (2) Approval of a question to be submitted to the electorate for the creation of a taxing district where there is statutory authority for a referendum.

#### **CHAPTER 4 FINANCIAL MANAGEMENT**

##### **SECTION 4.1 Budget Preparation Procedures**

A. By April 1st of each fiscal year, the County Judge shall obtain budget proposals prepared by each County office or agency receiving funds from the Fiscal Court, including the Jailer.

##### **NOTE**

The County Clerk and Sheriff operate on a January 1-December 31 fiscal year with a mandatory budget approval date of January 15. Therefore, the County will already have the County Clerk's and Sheriff's budget.

B. The County Judge shall prepare a report of anticipated revenue from general fund taxes and intergovernmental transfers from city, state, and federal government.

C. The County Judge shall review the expenditures in each classification of each fund for the preceding year and for the current year.

D. The County Judge may obtain from the Garrard County Treasurer receipts for actual expenditures made during the current fiscal year.

E. An estimate shall be made of expenditures for the remainder of the current year and of any surplus, by fund, which will remain.

F. The County Judge shall obtain from the sheriff an annual settlement showing County taxes collected, not later than October 1 of the current year and by April 1 of each year of the Garrard County Property Assessment levels from the Garrard County Property Valuation Administrator.

G. The County Judge shall submit the completed proposed budget to the Fiscal Court.

H. Following action by the Fiscal Court, but not later than June 10, the budget shall be submitted to the Kentucky State Local Finance Officer for approval as to form and classification.

I. The Garrard County budget approved by the State Local Finance Officer shall be submitted to Fiscal Court for adoption, in the form of an ordinance not later than July 1.

J. The County Judge shall cause a copy of the proposed budget to be posted in conspicuous place in the courthouse near the front door not less than seven (7) days before final adoption.

(1) A summary of the County budget shall be published in accordance with KRS Chp. 424 before final adoption by Fiscal Court.

(2) A summary of the County budget shall be published in accordance with

KRS Chp. 424 within 30 days after adoption by Fiscal Court.

(3) The County Judge shall maintain a copy of the budget as adopted, together with any amendments adopted thereafter, for public inspection.

##### **SECTION 4.2 County Procedures for County Treasurer**

A. County Treasurer shall receive and deposit all funds due the County .

B. County funds shall be paid out only on order of Fiscal Court.

C. No expenditures may be made in excess of revenues or for purposes other than appropriated.

D. No appropriations may be made which exceed adopted budget amounts.

E. The Treasurer shall keep an Appropriation Expenditure Ledger. The ledger shall be a record of each budget appropriation, all expenditures from the appropriation and each budget fund.

F. The Treasurer shall maintain general ledger in which all transactions are entered, either in detail or in summary. Each fund (General Fund, Road Fund, Local Government Economic Aide,

etc.) has a complete balancing set of general ledger accounts. Control accounts are established for the Cash Receipts Register and the Appropriation Expenditure Ledger.

G. The Treasurer shall maintain a Cash Receipt Register containing columns for total cash received, source of revenue and miscellaneous revenue for each fund

H. The Treasurer and finance officer shall maintain an Appropriation Expenditure Ledger. This ledger is a group of accounts supporting in detail the appropriation and expenditure accounts of the General Ledger. An account must be provided for each appropriation made in the budget. The original appropriation and all amendments and transfers authorized by order of the Fiscal Court shall be entered. All expenditures shall be charged to an appropriation account.

I. The Treasurer and budget officer shall maintain a record of all warrants paid (except payroll) in chronological order in a Warrant Distribution Register. Columns shall provide for date, payee, warrant number, appropriation expenditure account number and amount. Separate columns shall provide for each fund so that one register serves all funds.

J. The Treasurer or Finance Officer shall maintain a Payroll Authorization Book, designed to facilitate convenient preparation and certification of the payroll. One order of the Fiscal Court may be made to authorize payment for all employees for more than one payroll period.

#### **NOTE**

While the Finance Officer may maintain the Payroll Authorization Book, the Finance Officer is not authorized to execute checks.

K. The Treasurer or Finance Officer shall maintain an Individual Earnings Record for each employee, including gross earnings, deductions and net pay at the time computed.

L. The Treasurer shall maintain a Notes Payable Register which provides information on notes for temporary loans in anticipation of the current year's revenue, indicating the principal amount, interest rate, due date, fund and other necessary details.

K. The Treasurer shall maintain a Bond Register which records the history and authorization of each bond issue, whether general obligation bonds, revenue bonds or special levy bonds. A separate sheet shall be prepared for each issue.

#### **SECTION 4.3 Garrard County Procedures for Fiscal Court Administration by the County Judge**

A. At the beginning of each fiscal year, the total amount of the appropriation represents the free balance, or unused appropriation amount, for each account.

B. As expenditures are made during the year, the amount of the expenditure is subtracted from the free balance to keep an accurate record of the exact amount of the unused appropriation at any time.

C. When any item is ordered, the free balance is encumbered in that amount, although it may be considerable time before the actual expenditure occurs.

D. The County Judge shall write and sign all warrants directing the Treasurer to make payments authorized by Fiscal Court. The County Judge shall maintain a record of all warrants.

E. At the close of each fiscal year the County Judge will be responsible for the preparation of records necessitated by the annual County audit and audit of the County Judge's office. The annual audits of the books, accounts, and papers of the County and the County Judge shall be conducted by the State Auditor of Public Accounts or a Certified Public Accountant.

#### **SECTION 4.6 Claims Against Garrard County**

A. The County Judge shall account for all claims against the County .

B. All claims for payment from the County shall be filed in writing with the County Judge.

C. Each claim shall be recorded by date, receipt and purchase order number and presented to the Fiscal Court at its next meeting.

D. Each order of Fiscal Court approving a claim shall designate the budget fund and classification from which the claim will be paid and each warrant shall, specify the budget fund and classification.



E. The payroll for County officials and regular County employees and recurring utility expenses are hereby preapproved. Other recurring expenses may be preapproved by the Fiscal Court upon authorization of the State Local Finance Officer.

F. The depositor of Garrard County funds shall not honor any warrant on the County unless it is signed by both the County Judge and the County Treasurer. In the absence of the County Judge, the Deputy County Judge may sign.

G. All offices collecting County or state monies shall utilize a daily deposit in an interest drawing account until settlement is made to the Commonwealth and County . County fees shall be remitted to the County no later than the 10th day of each month following the month of collection unless a written waiver is given by Fiscal Court.

#### **CHAPTER 5 PERSONNEL ADMINISTRATION**

It shall be the policy of the County to maintain equal employment opportunities for its labor force which will be in compliance with applicable federal and state laws. The County is an at-will employer and is not subject to merit system governance or regulations.

The County is an Equal Opportunity Employer and shall not discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment, because of the individual's race, color, religion, national origin, sex, age forty (40) and over, because the person is a qualified individual with a disability, or because the individual is a smoker or nonsmoker, as long as the person complies with any workplace policy concerning smoking.

#### **SECTION 5.1 Job Classification**

A. The County Judge will be responsible for the preparation of a descriptive job classification plan for all non-elected positions.

B. Each job classification shall be in writing and include:

- (1) A concise, descriptive title;
- (2) Description of the duties and responsibilities of each position in each classification;
- (3) State of minimum and desirable qualifications for each position.

C. All positions in a single class shall be sufficiently alike to permit use of a single title, description, qualifications, and pay range.

#### **SECTION 5.2 Personnel Policy of Constitutional Officers**

A. Each Elected Official shall develop a personnel policy for the operation of their respective office.

B. In the alternative, each Elected Official may choose to adopt the personnel policies approved by Fiscal Court for the operation of their office (Chp. 5). Should the Elected Official not elect to utilize the personnel policies of the Fiscal Court, the Elected Official shall designate same, in writing, and deliver same to the County Judge.

#### **SECTION 5.3 Applicants**

A. Each applicant shall fill out and sign a standard written job application form or resume, and each application or resume shall be kept on file for at least twelve (12) months. All applicants shall sign a release authorizing the County to download and review the applicant's Kentucky Driving History Record or the Driving History Record for the state in which the applicant is licensed.

B. No employee may be hired until having been interviewed by the Department Head or Immediate Supervisor.

C. The County Judge shall make the selection, pursuant to the Garrard County Personnel Policy and notify the applicant and supervisor in writing of the selection.

D. Equal Employment Opportunity (EEO) information shall be obtained from the applicant but shall not be used to exclude any person from employment.

E. All part-time and temporary employees, funded through state or federal programs, shall be recruited and selected in accordance with the appropriate program guidelines.

#### **SECTION 5.4 Supervision**

The County Judge is responsible for the supervision of County employees. This responsibility may be delegated to appropriate department heads and supervisors. Each elected official shall be responsible for the supervision of all employees working within their particular office.

#### **SECTION 5.5 Discipline Procedures**

A. The County Judge shall discipline County employees by written reprimand, suspension or discharge in the best interest of the County.

#### **SECTION 5.6 Affirmative Action**

A. The County Judge shall develop and maintain an Affirmative Action Plan consisting of

- (1) A statement of Policy
- (2) Methods of Dissemination of the Policy
- (3) Workforce Analysis
- (4) Goals and Timetables

B. The County Judge is responsible for the implementation of the affirmative action policy of the County.

#### **SECTION 5.7 Scope of Coverage**

A. The following County employees are expressly exempted from coverage:

- (1) The County Judge, Fiscal Court members, Constables and all Elected Officials.
- (2) All members of boards and commissions of the County.
- (3) Consultants, advisors and counsel rendering temporary professional advice.
- (4) Independent contractors.
- (5) Employees of the Garrard Elected Officials.
- (6) Employees made available to County by other agencies.

B. All County employment positions not expressly exempted from coverage by this section shall be subject to the provisions herein.

#### **SECTION 5.8 Definitions**

Where used within these personnel rules, the following works and terms shall have the meaning indicated below:

Allocation: The assignment of an individual position to specific class of work based on the kind, difficulty, skill and responsibility of the work performed.

Appointing Authority: That person or body having authority under the laws of the Commonwealth of Kentucky to make appointments to positions. Unless otherwise specified, the Appointing Authority shall be construed to mean the County Judge.

Appointment: The act of appointing authority by which a position is filled.

County Employees: Those employees supervised by the County Judge and the Treasurer.

Demotion: Changing one employee from one class of work to a different class of at a lower pay grade.

Elected Official: Any elected official holding one of the constitutional County offices.

Performance Rating: An appraisal or evaluation of an employee's work performance.

Position: An individual job within the County 's personnel system.

Position Description: A detailed written description of the specified duties assigned to and performed by a particular employee.

Termination: The separation of an employee from the County personnel system by resignation, retirement, layoff, dismissal or death.

Dismissal: The termination of an employee.

Layoffs: The involuntary separation of an employee from his position and class due to a reduction in work force.

Resignation: The voluntary termination of employment by an employee.

Retirement: The termination of employment and transfer to retired status of an employee

#### **SECTION 5.9 Classification of Employees**

A. All employees of the County workforce shall be classified according to the Garrard County Personnel Policy.

**SECTION 5.10 Hours of Work**

A. The workweek for the county shall is 12:00 am Saturday though 11:59 pm Friday.

B. An employee's work hours shall be assigned by the Department Head or Direct Supervisor.

C. Overtime work shall be approved in advance by the County Judge or the Department Head, except in necessary circumstances where the County Judge shall be required to approve the overtime work after the overtime work has occurred.

**SECTION 5.11 Personnel Records**

Beginning the first day of employment, all new employees shall report to an office designated by the County Judge to supply any information needed to complete personnel records, execute payroll withholding authorization and enroll in the employee benefit program.

**SECTION 5.12 Employee Records**

It shall be the obligation of the employee to maintain current information by notifying his or her Department Head of all changes in personal or family status, home address, home telephone number, or any other changes which would affect payroll withholding or employee benefits.

**SECTION 5.13 Personal Conduct**

Images presented and statements made by all employees of the County can affect the entire organization; therefore, employees are expected to be friendly, courteous, appropriately dressed at all times and acting in accordance with the County Drug Policy.

**SECTION 5.14 Safety**

The health and safety of all County employees is of major importance. The County is striving to make everyone's job safe in all respects; therefore, all employees shall report in writing all hazardous conditions in their work area at once to their immediate supervisor. All injuries should be reported immediately to their supervisor and within 24 hours to the County Judge's office.

**SECTION 5.15 Credentials**

If it should come to the attention of the County Judge that an employee was hired on the basis of false credentials, said employee will be subject to immediate demotion or dismissal. All employees shall be a high school graduate or GED recipient; unless otherwise approved by the Fiscal Court.

**SECTION 5.16 Selection and Appointment**

A. Each applicant may fill out and sign a standard written job application and each application shall be kept for twelve (12) months.

B. County Employees. The department head shall select job candidates and make a recommendation to the County Judge. The County Judge shall set the salary and may give salary increases upon a positive employee evaluation form subject to budget constraints.

C. All employees whose positions are funded through state or federal programs shall be recruited and selected in accordance with the appropriate program guidelines.

**SECTION 5.17 Recruitment, Evaluation, and Certification**

The County Judge or designee shall be responsible for:

(1) Accepting complete application forms from the applicants.

(2) Conducting interviews, reference checks, and evaluating training, experience and credentials.

**SECTION 5.18 Announcements of Vacancies**

A. Notice of employment opportunity and necessary examinations, if any, may be publicized at the County Judge's discretion.

B. Such notices shall:

(1) List the vacant position(s).

(2) Specify for each position its position title, nature of work to be performed, and qualifications for employment in the position.

(3) Tell when and where to file applications for employment in the position.

#### **SECTION 5.19 Applications**

A. All applicants shall utilize the Garrard County Application form or a professional resume. The applicant shall provide:

(1) Information about the applicant's training, experience and character.

(2) Whatever additional information the County Judge deems pertinent to an evaluation of the applicant's fitness for the position for which he applies.

B. The County Judge shall review each application to ascertain the applicant's qualifications for the position.

#### **SECTION 5.20 Appointments**

A. The qualifications of an applicant for a position shall be ascertained on the basis of one or more of the following:

(1) Job related performance (internal candidates);

(2) Information provide on the Application;

(3) Interview(s);

(4) References;

(5) Other appropriate means;

#### **SECTION 5.21 Transfer**

Any employee occupying a Regular Full-Time position may request a transfer from one position to another comparable position, provided the position to which the employee is transferred is one for which they possess the appropriate minimum qualifications, and provided that the position applied for is vacant. The request must be in writing. A transfer may be requested by an employee or may result from action by the executive authority based on the County's program needs and/or objectives. All transfers must be approved by the County Judge/Executive.

#### **SECTION 5.22 Promotion**

When a vacancy occurs in a position above the entrance level, consideration will be given to promotion of current qualified employees who submit written application for the position. However, if the Executive Authority or the appropriate Elected Official deems that the best interest of the County necessitate the appointment of an applicant not currently employed by the County, the position may be filled by appointment of a person from outside the government.

An employee occupying a Regular Full-Time position may be promoted from one position to a higher position only if he/she possesses the minimum qualifications for the higher position and if the position is vacant.

#### **SECTION 5.24 Attendance, Leave and Fringe Benefit Provisions**

A. The standard work week for County employees shall be forty (40) hours per week, unless otherwise prescribed by the Judge Executive. Specific departmental work schedules shall be prescribed by department heads, with the approval of the County Judge. Work schedules for seasonal, temporary and part-time employees shall be specified by the County Judge according to the needs of the County and the rules and schedule stipulated for regular employees.

B. Employees shall be at their places of work in accordance with prescribed schedules. The direct job supervisor shall maintain daily attendance records of all employees.

#### **SECTION 5.25 Holidays**

The Garrard County Judge Executive will designate the holidays observed by the County each year. The County Judge Executive or County Official will determine the specific day a holiday

will be observed. Holidays falling on Saturday or Sunday may be observed on alternate days as designated. Employees will be paid at their regular net hourly rate of pay for holidays.

If an employee is absent without approval or medical verification on the day before or after a holiday, holiday pay will be forfeited.

**SECTION 5.26 Vacation**

Only Regular Full Time employees will be granted a vacation based upon length of service.

All employees occupying Regular/Full-Time positions will be entitled to accrue vacation leave on the following schedule which will be calculated by hours worked and will be accrued by pay period.

**Vacation Accrual Rates**

	<b>Group I</b>	<b>Group II</b>	<b>Group III</b>
	2,080	2,080	2,496
	work hrs/yr	work hrs/yr	work hrs/yr
<b>Service</b>	<b>vacation hours paid per year</b>		
0 - 5 years	48	48	48
5 - 10 years	96	96	96
10 - 20 years	144	144	144
20 + years	144	144	144

Hourly accrual rates include only hours based on normal work periods and will not include unscheduled overtime hours.

Vacation accrues by a pay period. Vacation leave will be earned and accrued as of the last pay period time sheet. Vacation time revolves around the employee’s hire date utilizing the above schedule. The County and Elected Official retain complete discretion as to the time of year, and increments, when vacation time is to be allotted to allow the maintenance of essential services through an effective and efficient schedule of work. Length of service with the County will be considered in determining which employee is to receive the first vacations, and so on.

Employees who resign in good standing or who are laid off will be granted 192 hours of accrued vacation leave. This provision will include employees who resign in order to enter the Armed

Service. Employees may take all of any single year's accrual upon approval of their supervisor. Requests in excess of this amount must be approved by the County Judge/Executive.

Negotiating unit employees will be compensated as provided for in their contract.

Vacation time will not accrue for any period of unpaid absence, whether it is extended sickness, Worker's Compensation periods, leave of absence, layoff, etc. Employees must submit requests for vacation two (2) weeks prior to the effective date. Vacation will be paid at the employee's regular rate of pay for normal work periods.

**SECTION 5.27 Sick Leave**

All employees occupying Regular Full-Time positions will be entitled to sick leave on the following schedule which will be calculated by hours worked and will be accrued by pay period.

**Sick Leave Accrual Rates**

	<b>Group I</b>	<b>Group II</b>	<b>Group III</b>
	2,080	2,080	2,496
	work hrs/yr	work hrs/yr	work hrs/yr
<b>Service</b>	<b>sick hours paid per year</b>		
0 - 5 years	96	96	96
5 - 10 years	96	96	96
10 - 20 years	96	96	96
20 + years	96	96	96

Hourly accrual rates include only hours based on normal work periods and will not include unscheduled overtime hours.

Sick leave will be earned and accrued each pay period.

- Sick days will be use for sickness only, not as personal days.
- Sick leaves may be used for dental appointments, with prior approval of the Department Head or Supervisor.

- A statement of restrictions and necessary accommodations from a doctor of medicine may be required for any sick leave, but is mandatory if three consecutive days are taken for any purpose.
- When an employee takes sick leave, his/her immediate supervisor will be informed of the fact by 8:00 a.m. of that day. Failure to notify the supervisor may be cause for disallowing the use of sick leave during the period of absence. Supervisors have the authority to request proof of medical or dental appointment, time, and location.
- An employee fraudulently obtaining sick leave, or a Department Head falsely certifying sick leave allowance for absence from work, may be suspended or dismissed.
- Abuse of sick leave will be cause for disciplinary action, up to and including dismissal.
- Sick leave does not accumulate when an employee is off work due to extended illness, workers' compensation, leave of absence, layoff, etc., as determined by the Judge/executive or Elected Official.
- Consistent with the Pregnancy Discrimination Act of 1978, pregnancy/childbirth may be treated as a temporary disability, and is eligible for use of sick leave with pay.
- Any employee absent from work on sick leave may first use their sick leave and vacation time with pay, or apply for the Family Medical Leave Act without pay, or take an approved leave of absence without pay.
- The County Judge/Executive, appropriate Elected Official or designee will keep records of sick leave allowance, sick leave taken, and balance of sick leave allowance for individual employees.
- Employees will be allowed to accrue a 360 hours of sick leave hours. However, employees shall not be paid for unused sick leave upon termination of employment.
- Employees may voluntarily donate their sick leave hours to other employees by notifying the County Judge/Executive, appropriate Elected Official or designee.

### **SECTION 5.28 Family and Medical Leave Act (FMLA)**

See the Personnel Policy and Procedures Manual for the Garrard County FMLA policy.

### **SECTION 5.29 Bereavement Leave**

Funeral leave will be granted for the immediate family of an employee which includes spouses, parents, children, grandchildren, brothers, sisters, and stepchildren living in the home. Twenty-four (24) hours leave at the regular pay for a normal work period will be granted for funeral arrangements and burial from the day of death until the day of interment for Regular Full-Time employees. Regular Part-Time employees will be granted 8 hours of paid leave. Eight (8) hours will be provided for grandparents, in-laws of the employee, or dependents living in the employee's household, and stepchildren not in the home. Situations requiring more than the hours authorized may be paid, but the extra time taken will be deducted from accrued vacation time. Funeral pay will not be granted while an employee is on sick leave, leave of absence, or observing any holiday that falls within the period of the employee's absence.

A funeral of a non-family member requiring time off for funeral leave will be granted at the discretion of the respective County Official or department head and said time will be deducted from any accrued vacation time.

If an employee is on vacation at the time of death of the above-mentioned family member(s), the employee will be entitled to the allotted time off for funeral leave, upon proper notification to his/her supervisor.

#### **SECTION 5.30 Special Leave**

- A. In addition to authorized leaves, the office holder may authorize an employee to be absent, without pay, for personal reasons for a period or periods not to exceed 120 working days.
- B. Request for leave for personal reasons shall be submitted in writing to the County Judge or Elected Official, stating reasons for the request, the date the leave shall begin and the probable date of return.
- C. An employee who has been on leave without pay status for thirty (30) calendar days may be terminated. The County Judge or Elected Official shall have the authority to make exceptions to this rule.

#### **SECTION 5.31 Maternity Leave**

- A. The County Judge or Elected Official may grant maternity leave for full-time permanent employees with temporary disability due to pregnancy, childbirth, adoption, or any impairment thereof, and miscarriage for a period not to exceed six weeks. An additional period may be extended if requested by the employee's physician.
- B. An employee granted maternity leave shall use any accrued sick leave and vacation time with the remaining periods as time off without pay.

- C. The employee must notify the County Judge or Elected Official as far as possible in advance of the employee's intention to request Maternity Leave, including approximate dates, in order to allow the County Judge or Elected Official time to prepare for any staff adjustments.
- D. The maximum allowable Maternity Leave, including the use of sick leave, sick leave without pay, and leave of absence without pay is six (6) months. If the employee returns to work at any time prior to the six (6) months maximum, she will return to full time pay status at the regular salary without loss of seniority or fringe benefits.

#### **SECTION 5.32 Military Leave**

All employees shall be entitled to take an unpaid leave of absence for active military service with any branch of the US military or for military reserve duty.

#### **SECTION 5.33 Civil Leave**

Jury Duty will be paid at the employee's regular rate of pay. The employee will receive regular pay, less whatever pay received for jury duty. The pay received for jury duty will be turned into the Finance Officer upon receipt.

This applies only to the time actually spent reporting for and serving on jury duty. The County will not be responsible for the time constraints placed on employees while in the service of the Court.

If called for jury duty and released, the employee must return to work for the remainder of the scheduled shift.

A slip denoting actual dismissal time is required for each day of duty. These slips are easily available through the Court Administrator.

#### **SECTION 5.34 Court Appearance**

- A Upon receipt of the order requiring the employee to make a court appearance, the employee shall make arrangements with the employee's Department Head to comply with the order.
- B If appearing in an official capacity in connection with the County as an expert witness because of professional or observed knowledge, the employee's court time is considered working time and no charge is made against leave time.



C. If the employee is involved in a personal case, either as plaintiff or defendant in a suit not resulting from his duties with the County, he may be granted leave, but the time off he takes must be charged to his accrued vacation time or to leave of absence without pay.

**SECTION 5.35 Overtime/Compensation Time**

Professional, administrative, and executive employees who are exempt from hourly wage guidelines under the provisions of the Fair Labor Standards Act will be granted compensatory time off at the rate of one hour for each hour worked in excess of forty (40) hours in any workweek. Employees desiring to use compensatory time earned should notify the respective County Official or Department Head. The granting of such compensatory time off will be at the discretion of the employee's supervisor. Accumulated compensatory time will be reported each pay period on the appropriate form and signed by the employee and their supervisor. The employee is responsible for record keeping of compensatory time reported. The hours cannot be traded or used to supplement paid holidays, vacation days, or sick leave at the sole discretion of the Judge/Executive or Elected Official. All compensatory time will be taken within a calendar year. No compensatory time will be carried over from one year to the next.

**SECTION 5.36 County Vehicles**

A. Anyone driving a County vehicle will be responsible for that vehicle in case of an accident pursuant to the Garrard County Personnel Policy. A breathalyzer and/or drug test will be required following a qualifying event and refusal will result in automatic dismissal of the County employee. Anyone driving a County vehicle must stay in good standing with the Department of Transportation and further maintain a valid operator's license. Any accident, traffic citation, or driving arrest of an employee in a County vehicle must be reported immediately to the supervisor or office holder.

B. Any employee found to be under the influence of alcoholic beverages or unauthorized drugs or controlled substances while operating a County vehicle or equipment shall be the subject of immediate dismissal from employment.

**SECTION 5.37 Health and Hospital Insurance**

All full-time employees of the County shall be provided with a health and hospital insurance coverage plan as provided by the Fiscal Court.

**SECTION 5.38 Kentucky County Employees Retirement Program**

The provision of this program may change from time-to-time. The County shall conduct the retirement program in accordance with the guidelines and directives of the Kentucky Retirement System (CER).

**SECTION 5.39 Employee Relation Provisions Training and Career Development**

The County Judge may permit or direct the attendance of employees at meetings, conferences, workshops or seminars intended to improve the knowledge, abilities and skills of County employees. The County Judge may release an employee from his regular duties during work days to attend classes at a recognized institution of learning if, in the department head's judgment, such classes contribute favorably to the County's goals and objectives and the career development of the employees.

**SECTION 5.40 Performance Evaluation**

The County Judge and each supervisor are responsible for appraising the performance and merit of personnel under their respective jurisdiction.

**SECTION 5.41 Disciplinary Action**

Refer to the Personnel Policy and Procedures Manual

**SECTION 5.42 Demotion**

Refer to the Personnel Policy and Procedures Manual

**SECTION 5.43 Suspension**

Refer to the Personnel Policy and Procedures Manual

**SECTION 5.44 Separation**

Refer to the Personnel Policy and Procedures Manual

**SECTION 5.45 Dismissal**

Refer to the Personnel Policy and Procedures Manual

**SECTION 5.46 Resignation**

Refer to the Personnel Policy and Procedures Manual

**SECTION 5.47 Layoff**

Refer to the Personnel Policy and Procedures Manual

**SECTION 5.49 Grievances**

Refer to the Personnel Policy and Procedures Manual

**SECTION 5.51 Miscellaneous Provisions**

Personnel Records:

A. For each County employee, a personnel file shall be maintained in the office of the Garrard County Judge.

B. The file shall include, but not limited to:

- (1) The employee's name;
- (2) The title of his position;
- (3) The department or office to which he is assigned;
- (4) Salary;
- (5) Past changes in his status as a County employee;
- (6) Whatever additional information deemed relevant or required by this Administrative Code;
- (7) Employee's application for employment.

**SECTION 5.52 Political Activity**

Any employee while in the service of the County is not required to contribute to any political fund or be denied the rights of political activity, as specified by the Kentucky Revised Statutes.

**SECTION 5.53 Sexual Harassment**

Refer to the Personnel Policy and Procedures Manual

**SECTION 5.54 Drug Free Workplace**

Refer to the Personnel Policy and Procedures Manual

**CHAPTER 6 COUNTY ROAD DEPARTMENT**

**SECTION 6.1 Establishment of Department**

A. There is hereby created and established a Garrard County Road Department consisting of a County Road Engineer or County Road Supervisor and such other employees of said department as may from time to time be provided for by the County Judge and the Fiscal Court.

B. The County Road Engineer/Supervisor shall be appointed by the County Judge with the approval of Fiscal Court, and shall serve a period of four (4) years.

**NOTE**

The position can be for two (2) or four (4) years. The terms are set so that a new administration can choose their Engineer/Supervisor.

**SECTION 6.2 Duties of Road Supervisor**

A. The County Road Engineer/Supervisor shall be the head of the road department subject to the order and direction of the County Judge.

B. The County Road Engineer/Supervisor shall be responsible for the performance of the road department and its functions, and all persons who are employees of the road department shall be subject to the supervision and direction of the County Road Engineer/Supervisor.

### **SECTION 6.3 Road Department Property**

A. Employees of the department shall be responsible for the good care of departmental equipment and property, assigned to their use and keeping and shall promptly report to their supervisor the loss or damage to our unserviceable condition of such property.

B. No departmental property or equipment shall be used for private purposes or on private property. School bus turnarounds and public cemetery work must be approved, in advance, by the County Judge, after consultation with the County Attorney and only where the turnaround or cemetery road has been placed in the County road system.

C. Equipment and materials for the road department shall be acquired in accordance with the provisions of this code.

D. All employees of the road department shall immediately report to their supervisor the loss of any departmental property or equipment that has been furnished to the individual.

E. No departmental property or equipment shall be used for private purposes or on private property without the prior written authorization of the County Judge. F. Any employee found to be using alcoholic beverages or illegal drugs during work hours, while using County equipment or on County property, will be dismissed immediately.

G. Each employee shall be responsible for servicing the equipment operated by the said employee on a regular basis including a regular check for oil levels and the necessity for an oil change. Any equipment problems or deficiencies should be reported immediately to the equipment supervisor. Trucks and equipment shall be cleaned at least once a week or more often as such need arises.

### **SECTION 6.4 County Road Inventory/Condition**

A. The County Judge shall maintain a list that clearly identifies all County maintained roads.

B. The County Judge and Road Engineer/Supervisor should inventory and review all County roads for identification and condition at least annually.

C. The inventory shall identify all roads by name and/or number; list the number and location of all bridges; and any other information that may identify County roads and the condition thereof.

D. The Road Engineer/Supervisor shall contact all area utilities relative to their planned activities prior to surfacing or resurfacing any County road.

### **SECTION 6.5 Procedures for County Road Repairs and Maintenance**

A. Each magistrate should inspect roads in his district periodically to determine needs.

B. Each magistrate should file a road report with the County Judge, including, but not limited to, the following information:

- (1) Road name and number;
- (2) Description of work to be performed;
- (3) Any additional information, which shall be deemed necessary.

C. The County Judge may compile all reports from magistrates and present a final report to the Fiscal Court for their action.

D. When the Fiscal Court makes approval of County road work, the County Judge shall direct the Road Engineer/Supervisor to perform these activities subject to budgetary constraints.

### **SECTION 6.6 Miscellaneous Requirements**

A. Any Road Department employee who notices any deficiencies in the roads maintained by the County shall report them to the Road Department office as soon as possible and no later than the end of the same workday. Any problems noticed during off duty hours shall be reported to the Department office during the following workday.

## **CHAPTER 7 COUNTY PROPERTY**

A. Any County employee found guilty of damages to, or destruction of County property or equipment, either through willfulness or negligence, shall be required to pay all costs of repairs or replacement of the property and may be subject to discipline, up to and including dismissal.

B. Each office holder or supervisor is responsible for the equipment that is used in their office. A list of each office's equipment is to be kept current. A copy of the list shall be sent to the County Judge's office annually or as any changes are made.

C. It shall be the general policy that no County employee shall allow a "passenger" to ride in a County vehicle unless that passenger is a County employee or the passenger represents County Government. Should an emergency exist or extraordinary circumstances exist, it shall be permissible for a passenger to ride in a County vehicle. However, should such an event exist, the County employee allowing the passenger to ride in the County vehicle shall report same to his/her supervisor as soon as possible.

## **CHAPTER 8 PURCHASES AND CONTRACTS**

### **SECTION 8.1 Authorization of County Contracts**

Every contract, change or amendment thereto, shall be authorized or approved by the Fiscal Court before being executed by the County Judge, except for small purchases. The County Attorney shall review every contract of the County, as to form and legality, except for contracts for small purchases.

### **SECTION 8.2 Selection of Vendors and Contractors (Procedures for Sealed Bidding)**

A. The agency, department or person requiring supplies, services or construction shall submit to the County Judge a request containing specifications and quantities desired.

B. The County Judge shall determine the need for each item requested, the approximate cost and whether or not the expenditure is provided for in the budget.

C. Any expenditure or contract for materials, supplies (except perishable meat, fish, and vegetables), equipment, or for contractual services other than professional, involving an expenditure of more than Twenty Thousand Dollars (\$20,000) shall be subject to competitive bidding, unless listed on the state price contract.

D. The County Judge shall place an advertisement in the newspaper of the largest circulation in the County at least once not less than seven nor more than twenty-one days before bid opening. The advertisement shall include the time and place where the specifications may be obtained. If the durability of the product, the quality of service or other factors are to be considered in bid selection, such factors shall be stated in the advertisement.

E. The County Judge shall open all bids publicly at the time and place stated in the advertisements and shall select the lowest and/or best bid by qualified bidder. If the lowest bid is not selected, the reasons for the selection shall be stated in writing.

F. The County Judge shall submit the bid selected to Fiscal Court for approval.

G. The County Judge shall sign the contract, if one is used.

### **SECTION 8.3 Procedures for Determination of Qualification of Bidders**

A. The County Judge may require all bidders to provide sufficient information to determine their qualification to provide the services or product that is the subject of the competitive bidding.

B. Contractors who have demonstrated, by past performance, the ability to perform satisfactory in accordance with the contracts on a timely basis and have shown a sound financial structure may be determined to be qualified and responsible bidders without additional documentation otherwise required of other potential bidders.

### **SECTION 8.4 Procurement Code**

A. The negotiated process may be used instead of advertisement for bids if the amount exceeds \$20,000 in the following circumstances:

- (1) An emergency exists;

(2) Bids exceed available funds; or

(3) The contract is for professional services.

B. Before an emergency is declared the County Judge shall determine whether or not the delay in obtaining bids will result in danger to health, safety or property.

C. The County Judge shall certify the existence of any emergency and file a copy of such certificate with the chief financial officer of the County (the Treasurer).

D. In the event all bids submitted are in excess of funds available, the County Judge shall prepare a written determination that there are no additional funds available as to permit an award to the responsible bidder with the lowest and best bid and delay in advertising for additional bids is not in the best interest of the County .

E. The Fiscal Court must approve all circumstances in which the negotiation process is used.

F. The County hereby agrees to use the local government portion of the Model Procurement Code (currently KRS 45A.343-45A.460).

#### **SECTION 8.5 Procedures for Negotiated Process**

A. When the prerequisites have been met for use of the negotiated process, the County Judge shall proceed to negotiate with one or more suppliers in order to obtain the most advantageous terms for the County.

B. The County Judge shall prepare a record of all negotiated contracts, showing the items and quantities acquired, name of suppliers, cost and date of contract.

C. Professional services shall be negotiated with such persons as are properly licensed to perform such services.

D. Where more than one bid was received and all were in excess of the amount available, the lowest three bidders shall be notified that the County desires to negotiate a contract for a lesser amount based on revised quantities or specifications and fix a time limit for submission of proposals.

E. The County Judge shall examine the proposals received and shall negotiate with the suppliers for the terms most advantageous to the County.

F. The best negotiated proposal shall be submitted to the Fiscal Court for approval and award.

#### **SECTION 8.6 Small Purchase Procedures**

A. All expenditures of less than \$20,000 shall be considered a “small purchase”, which under ordinary circumstances should not be subject to competitive bidding so long as said expenditure is provided for in the budget unless the Fiscal Court shall direct otherwise.

B. The County Judge determines the need for any item requested and whether or not the contract is for less than \$20,000 and the expenditure is provided for in the budget.

#### **SECTION 8.7 Hold Harmless Clause**

All contracts executed on behalf of the County concerning the purchase of services or products should contain a “hold harmless clause”, whereby the vendor, provider of services, or seller agrees to hold the County harmless from any liability concerning the use of their product or the receipt of their service.

#### **SECTION 8.8 Storage and Inventory Control (Procedures for Receiving, Storing and Disbursing Repetitive use Items) (new)**

The inventory file shall contain an item inventory number, item description, date purchased, condition, purchase amount and office assigned for use.

#### **SECTION 8.9 Disposition of County Surplus Property**

A. Real Property:

(1) In the event the County Judge determines that the County retains surplus real property and that it will be in the best interest of the County to dispose of said real property, the County Judge shall make a written statement:

(a) The real or personal property;

(b) Its intended use at the time of acquisition;

- (c) The reasons why it is in the public interest to dispose of it; and
- (d) The method of disposition to be used.

The property may be transferred via the following method:

- (a) Transferred, with or without compensation, to another governmental agency;
  - (b) Sold at public auction following publication of the auction in accordance with KRS 424.130(1)(b);
  - (c) Sold by electronic auction following publication of the auction, including the uniform resource link (URL) for the site of the electronic auction, in accordance with KRS 424.130(1)(b); or
  - (d) Sold by sealed bids.
- (2) The aforementioned statement shall be submitted to the Fiscal Court for their action.
  - (3) In the event there are no bids for the property, the property shall be sold by the County Judge in the best interests of the County. No County real property shall be sold on a negotiated basis for less than the appraised value.

**B. Tangible Property:**

- (1) The County office, agency, or person to which responsibility has been assigned by the County Judge to use and take care of a particular tangible item or items will notify the County Judge that a particular item is no longer needed or serviceable. The County Judge shall inquire of other County offices to determine if they have need of, or want to use, the item.
- (2) If no use for the property can be found, the property shall be disposed of in the same manner as Real Property except that no appraisal is required.

**CHAPTER 9 BOARDS AND COMMISSIONS**

**SECTION 9.1 Maintenance of Records of Administrative Agencies and County Departments**

A. All agencies which receive County funding shall file a copy of the agency's annual budget with the County Judge. It shall also file a copy of each audit required by law with the County Judge and the Garrard County Clerk.

B. All agencies which receive County funding shall maintain a financial record of the agency activities containing the amount budgeted for the year, the amount expended to date and the balance available. By the fifth business day of each month, the head of each County agency and each County department shall provide the County Judge with the following information:

- (1) A statement which describes the agencies or departments activities during the month;
- (2) A financial statement for each agency. The financial statement shall contain the total amount of appropriations for the agency, the amount spent and encumbered by the agency during the preceding month, the total amount encumbered during the fiscal year, and the amount of the total appropriation, which is still available for spending;
- (3) A monthly personnel listing of the absent, sick, late, off, and vacation days used and remaining for each employee; and
- (4) A list of any citizen complaints made about the department during the preceding year and the steps taken to correct the situation.

**SECTION 9.2 Regular Meetings**

A. All meetings at which County business is discussed by an agency which receives County funds, or any action taken by said agency, shall be open to the public, unless exempt by KRS 61.810.

B. A majority of the members of the agency board shall constitute a quorum for the conduct of official business.

C. A record of all motions on official actions taken by the agency shall be kept and made available to the County Judge upon his request.

## **CHAPTER 10 SPECIAL DISTRICTS**

### **SECTION 10.1 Procedures for Dissemination of Information**

For the purpose of efficient and successful administration of County boards, districts, and commissions, the governing body of such board, district, or commission shall develop and present copies of minutes, audits, and fiscal year budgets to the County Clerk for the purpose of sharing information.

### **SECTION 10.2 Procedures for Dissolution**

A. A plan of dissolution of any special district shall be made by the County Judge in writing and shall be submitted to the Fiscal Court for approval for any district which was created by the County (KRS 67.715).

B. The County Judge shall notify the Chairperson of the special district which is the subject of the plan of dissolution. The notice shall be in writing and shall be provided at least five (5) days before the plan of dissolution is submitted to the Fiscal Court.

C. All plans of dissolution shall contain:

- (1) A list of the reasons for dissolving the special district;
- (2) A list of the services and functions, if any, which are to be transferred to another special district, agency, board, commission, or department, and the names of which agency, board, etc., is to receive the transferred services or functions;
- (3) A list of all property owned or controlled by the special district and the method of disposing of such property;
- (4) A list of all creditors of the special district and a plan for satisfying all creditors.

D. If a plan of dissolution transfers services or functions to another special district, the goals and objectives (or charter of the recipient district) shall require amendment in order to provide the services transferred.

E. The Fiscal Court shall vote on the plan of dissolution within sixty (60) days of its submission to the Fiscal Court by the County Judge, provided the Fiscal Court shall not vote on said plan of dissolution during the meeting in which it shall be submitted by the County Judge. If the plan is not disapproved within sixty (60) days, the plan shall become effective.

### **SECTION 10.3 Removal and Appeal Process**

A. Unless otherwise provided by state law, an appointed member of the governing body of a special district may be removed from office by the appointing authority after a hearing with notice as required by KRS Chapter 424 for inefficiency, neglect of duty, malfeasance, or conflict of interest. The hearing shall be initiated and chaired by the appointing authority, who shall prepare a written statement setting forth the reason for the removal. The member to be removed shall be notified of the proposed removal and the reasons therefore by registered mail sent to their last known address at least ten (10) days prior to the hearing. The person to be removed may be represented by counsel at their own expense. The official record of the hearing shall be made by the appointing authority.

B. Where the removal of an appointed member of a special district governing body is by the County Judge pursuant to the preceding section, the removal shall be subject to approval by the Fiscal Court.

C. A member removed pursuant to this section may appeal within ten (10) days of the rendering of a decision or the approval of the Fiscal Court, if required, to the Circuit Court of the County of the appointing authority. The scope of the appeal shall be limited to whether the appointing authority or the Fiscal Court abused their discretion in removing the member.

### **SECTION 10.4 Single County Special Districts**

A. The governing body of each special district shall annually prepare a budget and shall classify budget units in the same fashion as County budgets are classified pursuant to KRS 68.240 (2) through (5). The state local finance officer shall prepare standard budget forms for district use and shall furnish them to County Clerks for distribution to the district officers.

B. The governing body of each special district shall at least once every four years, employ an independent certified public accountant, or contact with the auditor of public accounts to perform an audit of the funds in the district budget. The audit shall conform to standard audit programs for governmental accounting which are approved by the Auditor of Public Accounts or to other generally accepted accounting procedures as set forth by the Kentucky Board of Accountancy.

C. At least once every twelve (12) months, a district shall:

(1) File with the County Clerk of each County with territory in the district, a certification showing the name of the district, a map or general description of its service area, the statutory authority under which it was created, and the names and addresses of the members of its governing body and chief executive officer.

(2) File a copy of the district budget, financial statement if prepared, and audit when performed, with the County Judge.

D. Each district commission shall elect from its membership a chairman, secretary, and treasurer.

E. Vacancies shall be filled by the same appointing authority which is empowered to make the original appointment.

#### **SECTION 10.5 Multicounty Special Districts**

A. Upon approval of the Fiscal Court, the County may join another County to form a special purpose district to fulfill any purpose which the County is authorized by State law to fulfill or may be authorized to fulfill in the future.

B. Before the County may participate in a multicounty special purpose district, the Fiscal Court shall determine that participation is feasible and necessary.

C. The membership of the governing body of any new multicounty special districts are to be appointed among the counties in ratio to their population which each County having at least one (1) member on the board, unless otherwise stated in the inter-local agreement creating the multicounty special district.

### **CHAPTER 11 COUNTY SERVICES**

#### **SECTION 11.1 Public Works Department (Road Department)**

Goals and Objectives: The Public Works Department shall be responsible for the maintenance, construction, and upkeep of all roads and bridges in the County Road System, and the construction, maintenance, and upkeep of the County parks and recreational areas. The County Road Engineer/Supervisor shall head this Department.

#### **SECTION 11.2 County Road System**

The Fiscal Court shall designate by Resolution which roads in the County will be on the County Road System and maintained by the Public Works Department. Those roads so designated shall include for County maintenance all appurtenant bridges, side ditches, headwalls, culverts, guard rail systems, and traffic control devices unless specifically excluded by an agreement.

#### **SECTION 11.3 Parks and Recreation**

Goals and Objectives: To provide an adequate amount and variety of recreational opportunities to satisfy the full range of needs of the population. The provision of recreation services by the Fiscal Court shall be through joint efforts of the City of Lancaster.

#### **SECTION 11.4 Contents of Planning and Subdivision Regulations**

A. The County shall provide for comprehensive planning and the implementation of subdivision guidelines in accordance with subdivision regulations, building code ordinances and nuisance ordinances.

B. Building and Electrical Inspections, as required by state law, shall be provided by the Fiscal Court through contract with duly appointed inspectors.



## APPLICATION FOR SICK LEAVE SHARING

Name of Recipient:

\_\_\_\_\_

Department: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Amount of Sick Leave Needed: \_\_\_\_\_

Please provide a reason transferred leave is needed, including a brief description of the nature, severity,

and anticipated duration of the medical emergency. (If this is an amended request, provide reason for extension.)  
Please attach certification by one or more physicians of the medical reason that employee will be unable to perform the duties and responsibilities of his/her position for ten (10) or more consecutive working days or the reason for extension, if an amended request.

\_\_\_\_\_, 20\_\_  
Recipient or Representative Date

\_\_\_\_\_, 20\_\_  
Department Head/Supervisor Date

The above named employee has been approved to receive donated sick leave in accordance with the provisions of the sick leave sharing policy.

\_\_\_\_\_, 20\_\_  
Appointing Authority Date

\*The original should be kept by the Recipient's Payroll Officer.74

# SICK LEAVE DONATION FORM

Name of Donor: \_\_\_\_\_

Department: \_\_\_\_\_

Soc. Sec. #: \_\_\_\_\_

Amount of Donation to be credited to Recipient: \_\_\_\_\_

(Employee must have 80 hours remaining after donation. Minimum amount employee may donate is 8.0 hours.)

Recipient: \_\_\_\_\_

Department: \_\_\_\_\_

I hereby certify that this donation is given without expectation or promise for any purpose other than that authorized by the sick leave sharing policy.

\_\_\_\_\_, 20\_\_\_\_, 20\_\_\_\_

Donor Appointing Authority

\*The original should remain with the Donor's payroll officer. A copy should be transmitted to the Recipient's Payroll Officer so that Sick Leave balances may be adjusted.