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FISCAL COURT AGENDA ITEM REQUEST
&
COUNTY ATTORNEY REVIEW FORM

June 16, 2016
Today's Date

OCFC Administrative Code Ordinance
Name of Document and/or Agenda Item

Tina Schaaf
Submitted by (Name – Department - Committee) (phone, email)

Does this require Fiscal Court's approval? X yes ___ no

6/30 Special Meeting – 1st Reading
Fiscal Court Presentation Date

7/16/16 agenda

2nd Reading 9/20/16

Who will be presenting Item to Fiscal Court? Tina Schaaf
(Ex: Committee, Chairperson, Department, Staff, Name)

What action motion are you requesting of the court ?
1st Reading of the Ordinance for the Administrative Code – 2nd Reading/public hearing to be done 9/20/16

*** REVIEWED AND APPROVED AS TO FORM & LEGALITY BY COUNTY ATTORNEY ***

(Signature)
John Carter, Oldham County Attorney

06/17/2016
Date

Ordinance
KOC-16-200-318
Commonwealth of Kentucky

Oldham Fiscal Court

AN ORDINANCE REPEALING AND REPLACING THE CURRENT ADMINISTRATIVE CODE ORDINANCE KOC 97-200-32 AND ESTABLISHING A NEW ADMINISTRATIVE CODE.

WHEREAS, Oldham County Fiscal Court has the authority and is required to adopt an Administrative Code, pursuant to KRS 68.005; and,

WHEREAS, it has become apparent that the present Administrative Code has become outdated ant there is a necessity to amend or replace same; and,

WHEREAS, Oldham County Fiscal Court advertised and conducted a public hearing on _____ concerning the replacement of the existing Administrative Code.

NOW, THEREEFORE, BE IT ORDAINED BY THE OLDHAM COUNTY FISCAL COURT AS FOLLOWS:

The present Administrative Code is hereby repealed and replaced with the new Administrative Code which is hereby adopted.

This ordinance shall become effective upon passage and written advertisement according to law.

Dated this _____day, _____, 2016.

_____
David Voegele
Judge Executive

ATTEST

_____
Sheila Faehr
Fiscal Court Clerk

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CHAPTER 1: OBJECTIVE AND SCOPE

Section I: Purpose and Authority

1. 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 is not limited to, procedures and designation of responsibility for the following:
    A. General administration of the office of Judge-Executive, County administrative agencies, and public authorities;
    B. 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;
    C. County purchasing and award of contracts;
    D. 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; and
    E. Delivery of County services
2. Unless otherwise noted hereinafter or in Kentucky Revised Statutes, this Code applies to all departments, offices of Fiscal Court and any boards which are directly funded from the General Fund, excluding the fee offices of County Clerk and Sheriff and excluding the office of the Jailer except for the statutory oversight of budget and number of deputy jailers and salary amount of said deputies.
3. The Fiscal Court shall review the County Administrative Code annually during the month of June and may by two-thirds majority of the entire Fiscal Court amend this Administrative Code at that time. The Judge-Executive may at other times prepare and submit amendments to the Administrative Code for the approval of a majority of the Fiscal Court.

Section II: Interpretation

Unless otherwise provided herein, or by law or implication required, the same rules of construction, definition, and application shall govern the interpretation of this Administrative Code as those governing the interpretation of state law. The use of the masculine gender in this document applies to both genders unless otherwise stated.

Section III: Definitions

COUNTY ADMINISTRATIVE CODE, CODE, THIS CODE OF ORDINANCES or THIS CODE: The Administrative Code of Oldham County as modified by amendment, revision, and adoption of new titles, chapter, or sections

COUNTY: Oldham County, Kentucky

FISCAL COURT or COURT: The legislative body of Oldham County

KRS: Kentucky Revised Statutes

MAY: The act referred to is permitted but not required

MONTH: A calendar month

ELECTED OFFICIAL: Elected County Officials other than the Judge-Executive

OFFICER, OFFICE, EMPLOYEE COMMISSION or DEPARTMENT: An officer, office, employee, commission, or department of the County unless the context clearly requires otherwise

PERSON: Extends to and includes person, persons, firm, corporation, co-partnership, trustee, lessee, or receiver. Whenever used in any clause prescribing and imposing a penalty, the terms PERSON or WHOEVER as applied to any unincorporated entity shall mean the partners or members thereof, and as applied to corporations, the officers or agents thereof

PRECEDING or FOLLOWING: Next before or next after, respectively

SHALL: The act referred to is mandatory

SIGNATURE or SUBSCRIPTION: Includes a mark when the person cannot write

STATE: The State of Kentucky

Section IV: Severability

If any provision of this Code as now or later amended or its application to any person or circumstance is held invalid, such invalidation does not affect the remainder of the Administrative Code or its application.

Section V: Publication and Effective Date of Code

The Administrative Code shall be deemed published and effective as of the day of its adoption and approval by the Fiscal Court.

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CHAPTER 2: FISCAL COURT

Section I: Powers

In accordance with KRS 67.080, the Fiscal Court has the following powers:

1. The Fiscal Court may:
    A. Sell and convey any real estate belonging to the County, and buy land for the use of the County, when necessary, for the lawful purposes of the County as provided for in this section and KRS 67.083
    B. Establish all appointive offices, set the duties of those offices, and approve all appointments to those offices
    C. Investigate all activities of County government **(DELETED AS IT IS LISTED BELOW "C")**
2. The Fiscal Court shall:
    A. Appropriate County funds, according to the provisions of KRS 68.210 to 68.360, for purposes required by law
    B. Cause the construction, operation and maintenance of all County buildings and other structures, grounds, roads and other property as needed
    C. Investigate all activities of County government
    D. Annually review, adopt and/or amend the County Administrative Code in accordance with KRS 68.005
    E. Provide for the incarceration of prisoners according to the provisions of KRS Chapter 441
    F. Regulate and control the fiscal affairs of the County
    G. Cause correct accounts and records to be kept of all receipts and disbursements of the public funds of the County; employ a competent person to keep such accounts and records, pay such person a reasonable compensation for such services, and have the accounts of the County and all County officers audited, when necessary and in accordance with the provisions of KRS 43.070 and KRS 64.810
    H. Exercise all the corporate powers of the County unless otherwise provided by law

("F, G & H", MOVED TO #2 "FISCAL COURT *SHALL*)

Fiscal Court shall not exercise executive authority except as specifically assigned by statute.

Section II: Regular Meetings

Regular meetings of Oldham County Fiscal Court shall be held on the first and third Tuesdays of each month at 2:00p.m., provided, however, if the regular meeting day or date falls on a legal holiday, the

meeting may take place on the next regular working day at the same place and time or another day set by the Fiscal Court.

Section III: Open Meetings

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

Section IV: Special Meetings

1. The Judge-Executive may call a special meeting of the fiscal court for the purpose of transacting any business over which the Fiscal Court has jurisdiction.
2. If a special meeting is necessary and the Judge-Executive is unable, or refuses to act, a majority of the members of the Fiscal Court may call the special meeting.
3. Special meetings shall be called and conducted in accordance with the Kentucky Open Meetings Act (KRS Chapter 61).
4. It shall be the responsibility of the Fiscal Court Clerk to prepare and distribute the proper notices.

Section V: Presiding Officer

1. The Judge-Executive shall be the presiding officer of the Fiscal Court at all regular and special meetings.
2. If the Judge-Executive is not present or unable to preside, a majority of the magistrates shall elect one of the other members of Fiscal Court as presiding officer, with all the powers and duties vested in that office.

Section VI: Quorum

1. Not less than a majority of the members of the Fiscal Court shall constitute a quorum for the transaction of business.
2. 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 VII: Order of Business

1. The Judge-Executive shall prepare an agenda for each Fiscal Court meeting in advance of any meeting.

2. Special and/or Emergency Meeting agendas shall be followed with no other topics presented or discussed.
3. The first order of business of any meeting of Fiscal Court will be to approve or amend the agenda.
4. The Judge-Executive shall prepare an itemized list of all claims to be submitted to Fiscal Court.
5. No claim shall be paid unless contained in the itemized list for the meeting and reviewed by the Fiscal Court unless previously authorized as a "recurring approved expense".
6. No claim shall be disapproved for payment unless the Fiscal Court orders, for good cause, that the claim not be paid.
7. A majority of Fiscal Court members may vote to forgo Section VII (5) and add bills not included on the itemized list as long as the bill is presented to Fiscal Court.

Section VIII: Records and Minutes

1. The clerk of the Fiscal Court shall attend all meetings of the Fiscal Court and keep a full and complete record of its proceedings in accordance with KRS 67.100.
    A. The Fiscal Court is a court of record. Minutes of the proceedings of each meeting shall be prepared and submitted for approval at the next succeeding meeting.
    B. Every official action of the Fiscal Court shall be made a part of the permanent records of the County.
    C. A copy of all records required by this section shall be indexed and available for public inspection and kept in the office of the County Clerk.
2. Fiscal Court shall accept and file a record of the performance bond for the Judge-Executive, County Sheriff and County Clerk in accordance with KRS 67.720, 134.230 and 62.055.

Section IX: Rules of Order

1. Except when in conflict with the foregoing provisions, Robert's Rules of Order shall serve as a guide for the deliberations of the Fiscal Court.
2. The rules of order, other than those prescribed by statute, may be suspended at any time by consent of a majority of members present at the meeting.

Section X: County Ordinances, Orders and Resolutions

1. An "ordinance" is 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.

A. All County ordinances shall be adopted in conformity with KRS 67.075 to 67.077, except that emergency ordinances may be adopted as provided in KRS 67.078.
B. The sponsor member of the Court shall introduce all ordinances in writing to the Judge-Executive to be included on the agenda after it has been reviewed by the County Attorney prior to the Fiscal Court meeting.
C. No County ordinance shall relate to more than one subject and each ordinance shall be prefaced in the following manner by a title which expresses that subject: "AN ORDINANCE relating to *(the subject of the ordinance)"*
D. 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 Oldham County, Commonwealth of Kentucky".*
E. All ordinances shall contain an effective date and shall only be passed by a majority vote of the members.
F. No County ordinances shall be passed until it has been read on two separate days, unless an emergency is properly declared by the Judge-Executive, but ordinances may be read by title and summary only.
G. No County ordinance shall be passed until it has been published pursuant to KRS 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 if at that meeting, the time, date and place of the next meeting are announced.
H. After passage, all County ordinances and amendments shall be published pursuant to KRS 424 in full or in summary form and posted on the County website.
I. County ordinances shall be amended by ordinance and only by setting out in full each amended section.

2. Official actions of the Fiscal Court, other than those required to be in the form of a County ordinance, including but not limited to, approvals required by the Fiscal Court, may be taken by resolution, order or motion.

Section XI: Legal Contracts and Instruments

The County Attorney shall review all contracts and legal instruments required by the County on behalf of the County, and prepare such other instruments as needed, as to form and legality.

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CHAPTER 3: FINANCIAL MANAGEMENT

Section I: Budget Preparation Procedures

1. By April 1 of each fiscal year, the Judge-Executive shall obtain budget proposals prepared by each County office or agency receiving funds from the Fiscal Court, including the Jailer.
2. The Judge-Executive shall prepare a report of anticipated revenue from general fund taxes and intergovernmental transfers from city, state, and federal government.
3. The Judge-Executive shall review the expenditures in each classification of each fund for the preceding year and for the current year.
4. The Judge-Executive may obtain from the County Treasurer receipts for actual expenditures made during the current fiscal year.
5. An estimate shall be made of expenditures for the remainder of the current year and of any surplus, by fund, which will remain.
6. By October 1 of each year, the Judge-Executive shall obtain from the Sheriff an annual settlement showing County taxes collected.
7. By April 1 of each year the Judge-Executive shall obtain from the Oldham County Property Valuation Administrator the Oldham County Property Assessment.
8. The Judge-Executive shall submit the completed proposed budget to the Fiscal Court by May 1 of each fiscal year.
9. Following action by the Fiscal Court, the budget shall be submitted by June 10 to the Kentucky State Local Finance Officer for approval as to form and classification.
10. The Oldham County budget approved by the State Local Finance Officer shall be submitted to Fiscal Court for adoption in the form of an ordinance by July 1.
11. The Judge-Executive shall cause a copy of the proposed budget to be posted in a conspicuous place in the courthouse near the front door not less than seven (7) days before final adoption.
    A. A summary of the County budget shall be published in accordance with KRS Chapter 424 before final adoption by Fiscal Court.
    B. A summary of the County budget shall be published in accordance with KRS Chapter 424 within 30 days after adoption by Fiscal Court.
    C. The Judge-Executive shall maintain a copy of the budget as adopted, together with any amendments adopted thereafter, for public inspection.

Section II: Duties and Procedures of the Oldham County Budget Committee

1. The Budget Committee shall consist of the Judge-Executive, the County Treasurer, The County Chief Financial Officer and members of the Finance Committee of the Fiscal Court.

2. The Budget Committee shall review in detail the proposed budget the Judge-Executive has prepared.
3. The review shall be conducted at a meeting or meetings held by April 21 of each year. The Budget Committee shall meet with Directors and Agencies as needed to review proposed budgets.
4. After this review, the Judge-Executive shall forward a copy of the proposed budget to all Fiscal Court members. The Fiscal Court members shall make inquiries, comments, and suggest changes to the proposed budget to the Judge-Executive prior to the Judge-Executive submitting the budget to Fiscal Court for first reading.

Section III: County Budget Hearing Procedures and Requirements

In accordance with KRS 42.455 and 174.100

1. County Road Aid Fund (CRA):
    A. Notice of the proposed use hearing on the CRA fund shall be published not less than seven (7) days in advance of the scheduled hearing.
    B. The Judge-Executive shall conduct the proposed use hearing.
    C. Copies of the published notice and written minutes of the hearing shall be maintained by the Judge-Executive as public record.
2. Prior to adoption of the County budget and submittal to the State Local Finance Officer, the Fiscal Court shall conduct a budget hearing on the entire County budget to show the relationship of LGEA fund uses to other funds and uses. The date of the final budget hearing shall be immediately prior to the first reading of the budget ordinance.
3. Notice of the budget hearing shall be published in at least one (1) newspaper of general circulation and other news media in the community shall be advised. The preceding shall be as follows:
    A. Published notice of budget hearing not less than 7 (seven) days prior to the scheduled hearings;
    B. The Fiscal Court shall conduct the budget hearing;
    C. Copies of the published notice and written minutes of the hearing shall be maintained by the Judge-Executive as public record and posted on the County website.

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Section IV: County Procedures for County Treasurer

1. The Fiscal Court shall appoint a County Treasurer, hereinafter referred to as the Treasurer. The appointment of the Treasurer shall be for a period of four (4) years in conformance with KRS 68.010 and responsibilities include, but are not limited to, the following:
    A. The 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 **DELETED – DUPLICATE OF "H" BELOW**
    F. The Treasurer shall maintain a general ledger in which all transactions are entered, either in detail or in summary. Each fund (General Fund, Road Fund, Local Government Economic Aid, etc.) shall have a complete balancing set of general ledger accounts. Control accounts shall be 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 Chief Financial 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 Chief Financial 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 and Chief Financial 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

K. The Treasurer or Chief Financial 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
M. 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 V: Account Balance – Expenditures-Records

1. At the beginning of each fiscal year, the total amount of the appropriation represents the free balance, or unused appropriation amount, for each account.
2. 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.
3. When any item is ordered, the free balance is encumbered in that amount, although it may be considerable time before the actual expenditure occurs.
4. The Judge-Executive shall write and sign all warrants directing the Treasurer to make payments authorized by Fiscal Court. The Judge-Executive shall maintain a record of all warrants.
5. At the close of each fiscal year the Judge-Executive will be responsible for the preparation of records necessitated by the annual County audit and audit of the Judge-Executive's office. The annual audits of the books, accounts, and papers of the County and the Judge-Executive shall be conducted by the State Auditor of Public Accounts or a Certified Public Accountant.

Section VI: Claims Against Oldham County

1. The Judge-Executive shall account for all claims against the County.
2. All claims for payment from the County shall be filed in writing with the Judge-Executive.
3. Each claim shall be recorded by date, receipt and purchase order number (if applicable) and presented to the Fiscal Court at its next meeting.
4. 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.

5. The payroll for County officials and regular County employees and recurring utility expenses are hereby pre-approved. Other recurring expenses may be preapproved by the Fiscal Court upon authorization of the State Local Finance Officer.
6. The depositor of Oldham County funds shall not honor any warrant on the County unless it is signed by both the Judge-Executive and the County Treasurer. In the absence of the Judge-Executive, the Deputy Judge-Executive and/or the Chief Financial Officer may sign.
7. 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 15th day of each month following the month of collection unless written waiver is given by Fiscal Court.

CHAPTER 4: PROCUREMENT CODE

Section I: Adoption of Model Procurement Code

Oldham County adopts the local government portion of the Kentucky Model Procurement Code (KMPC) as Oldham County's procurement method. The KMPC is codified as KRS 45A.343 - 45A.460.

Section II: Administrative Regulations

1. The Judge Executive is responsible for Oldham County's procurement process, including:
   A. Negotiation and execution of all contracts
   B. Administration and supervision of the Oldham County purchasing system
2. Every contract of Oldham County shall be authorized or approved by the Fiscal Court before it is executed by the Judge-Executive.
3. Every procurement contract of Oldham County that is greater than $1,500 shall be approved as to form and legality by the County Attorney.
4. The Judge Executive may delegate performance of part or all of the purchasing duties by appointing a designee, who may in turn delegate duties as needed to appropriate personnel under their supervision.
5. Oldham County is exempt from KRS 45A.425 (Surplus Personal Property) and adopts KRS 67.0802 (Surplus Personal and Real Property).

Section III: Small Purchases

1. All expenditures of less than $20,000 shall be considered a "small purchase" and are not subject to competitive bidding. KRS 45A.385.
2. The Judge Executive shall determine the need for any item requested, whether or not the contract is for less than $20,000 and provided for in the budget.

3. For all "small purchases" exceeding $3,000, the Judge Executive shall obtain three (3) quotes from prospective suppliers or vendors, prior to the purchase and then select a purchase that is most advantageous to Oldham County, in the judgment and discretion of the Judge Executive.
4. If the expenditure is under $1,500 the department director may select the vendor.
5. If the expenditure is over $1,500 (with the exception of vehicle repairs) the director shall get prior approval from Judge-Executive.

CHAPTER 5: POWERS AND DUTIES OF THE FISCAL COURT MEMBERS

Section I: Judge-Executive

1. The Judge-Executive serves as the presiding officer in all Fiscal Court meetings and also possesses the same privileges as other members of the Fiscal Court, including the right to vote on all matters coming before the Fiscal Court.
2. The Judge-Executive shall be 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.

Section II: Other Fiscal Court Members

1. The Magistrates are voting members of the Fiscal Court and have specific statutory authority and privileges when court is in session. When Fiscal Court is adjourned, the Magistrates possess no administrative or executive power in relation to County government, other than those powers expressly granted by this Administrative Code.
2. Committees of Oldham County Fiscal Court shall be established and operated as outlined below:
    A. The Judge-Executive shall establish, and periodically re-establish, the Fiscal Court Committees.
    B. The Judge-Executive shall appoint Committee Chairs and committee members.
    C. Each Fiscal Court member shall be assigned as a member of at least one Fiscal Court Committee.
    D. While encouraged, it is NOT required that a Fiscal Court member serve as Chair of a committee.
    E. Each Fiscal Court Committee shall have a "standing meeting" day, time and location on a monthly basis. This schedule shall be kept in the Judge-Executive's office and posted on the County website. Standing meetings may be cancelled at the Committee Chair's discretion. However, each Committee shall meet at least once during each quarter of the County's Fiscal Year. Additional meetings may be called by the Chair or the Judge-

Executive as deemed appropriate with proper notification of the committee membership and the media as required by KRS. Meeting cancellations shall also be posted and proper notification given to the committee membership and media.

F. Fiscal Court members may attend any and all Fiscal Court Committee meetings regardless of their membership status regarding the committee.

G. The Chair of each Fiscal Court Committee shall be responsible for preparing and posting any required notice and the agenda for the committee meeting. The Chair shall also be responsible for preparing minutes of each meeting, to include documentation of those attending the meeting, and to submit the minutes to the Fiscal Court Clerk to file in the Judge-Executive's office.

CHAPTER 6: GENERAL ADMINISTRATION

Section I: Judge-Executive

1. The Judge-Executive is the chief executive officer, administrative officer and fiscal officer of the County and is thereby responsible for administering the policies established by the Fiscal Court and for the financial administration of the County.
2. The responsibilities and/or duties of the Oldham County Judge-Executive, as defined by KRS 67.710, are as follows:
   A. 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;
   B. 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 Fiscal Court;
   C. 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 Fiscal Court;
   D. 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;

E. Consistent with procedures set forth in KRS 68, prepare and submit to the Fiscal Court an annual budget and administer the provisions of the budget when adopted by the Fiscal Court;
F. 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;
G. Exercise with the approval of the Fiscal Court the authority to appoint, supervise, suspend, and remove county personnel (unless otherwise provided by state law);
H. 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.

Section II: Appointed Positions

1. The Judge-Executive may appoint a Deputy Judge-Executive who, in the absence of the Judge-Executive, shall serve as Judge-Executive in all matters, except those of a member of the Fiscal Court.
2. The Judge-Executive may appoint an assistant to assist with the execution of his administrative duties.
3. The Judge-Executive may appoint a budget officer to assist with the County fiscal affairs.
4. The Judge-Executive may appoint personnel to assist with the County administrative and fiscal duties.
5. A member of the Fiscal Court may be appointed by a majority of the Fiscal Court to temporarily assume the duties of the Judge-Executive, where both the Judge-Executive and the Deputy Judge-Executive, if a Deputy 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 III: Appointment of Members of Boards and Commissions

1. The Judge-Executive shall inform the Fiscal Court at a regular meeting of the intention to make an appointment to a board or commission. The Fiscal Court shall vote on such nomination within thirty (30) days. A majority of those Fiscal Court members present at a meeting shall vote in favor of the nomination, in order for it to be approved.

2. If the Fiscal Court does not act upon the ratification of the appointment within the thirty (30) day period, said appointment shall be deemed ratified by the Fiscal Court, unless otherwise provided by law.
3. If the Fiscal Court rejects the appointment, the Judge-Executive may submit a second appointment, which shall be acted on within thirty (30) days. If the Fiscal Court does not act on the appointment within the thirty (30) days period, said appointment shall be deemed ratified by the Fiscal Court, unless otherwise provided by law.
4. If the Fiscal Court rejects the second appointment, the Judge-Executive may submit a third nomination. The Fiscal Court shall act on the appointment within thirty (30) days. If the Fiscal Court does not act on the appointment within the thirty (30) day period, said appointment shall be deemed ratified by the Fiscal Court, unless otherwise provided by law.
5. If the Fiscal Court rejects the third appointment, the Judge-Executive may appoint a person to serve on a temporary basis, without the ratification of the Fiscal Court, for a period not to exceed one (1) year, unless otherwise provided by law.
6. The Fiscal Court may require the nominee to appear at a public hearing for the purpose of questioning such nominee about matters which relate to the position for which they have been nominated. The Fiscal Court may provide the nominee with an opportunity to make a statement to the Fiscal Court concerning their nomination and qualifications.

No person shall be selected as a member of a board or commission if such person holds or is employed in a position which is incompatible.

Section IV: Appointment of Personnel

1. With exception of the Treasurer, as stated in KRS 68.010, it shall be the responsibility of the Judge-Executive to make all appointments to any position created by Fiscal Court, subject to the approval of Fiscal Court as defined by KRS 67.710 (8).
2. When Fiscal Court approval of an appointment is not required by state law, the Judge-Executive shall make such appointment after notification to Fiscal Court.

Section V: Removal of Personnel

The Judge-Executive shall present to Fiscal Court for approval notice of intention to remove administrative personnel or any board or commission member.

Section VI: Organization/Reorganization of County Departments and Agencies

1. The Judge-Executive may create, abolish or combine any County department or agency or transfer a function from one department or agency to another, provided that the Judge-Executive submits a written plan for the reorganization to the Fiscal Court.
2. The reorganization plan shall state the need, how the reorganization will meet the need, the services and the 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.
3. In accordance with KRS 67.715, the plan shall be submitted to the Fiscal Court for approval at a meeting of the Fiscal Court. If not disapproved within sixty (60) days, the plan shall become effective. The plan shall be subject to public inspection at least 60 days prior to its effective date.
4. The Judge-Executive or the Fiscal Court may cause the records and accounts of any administrative agency to be examined at any time.

Section VII: Special Districts

The Judge-Executive 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 VIII: County Representation on Boards and Commissions

1. The Judge-Executive shall assure the representation of the County on all boards, commissions, special districts, and joint city-county programs in which County participation is required.
2. Every independent board, commission, agency or special district which requires participation by County government shall submit a list of its governing body members, and a copy of its by-laws to the Judge-Executive and the Fiscal Court, no later than thirty (30) days after the start of the County government's term of office. The independent board, commission, agency or special district shall submit a revised copy of its by-laws within thirty (30) days of their approval when amended. When a vacancy exists, the list of governing body members should be submitted to the Judge-Executive no later than thirty (30) days before the Judge-Executive nominates a candidate for the vacancy.

Section IX: Incompatible Offices

1. In accordance with KRS 61.080, no person shall, at the same time, be a state officer, a deputy state officer or a member of the general assembly, and an officer of any county, city or other municipality, or an employee thereof.
2. The offices of Magistrate, Judge-Executive, Surveyor, Sheriff, Deputy Sheriff, Coroner, Constable, Jailer, Deputy Jailers and Clerk or Deputy Clerk of a court, shall be incompatible, the one with any of the others. The office of Judge-Executive and County School Superintendent are incompatible.

CHAPTER 7: COUNTY ROAD DEPARTMENT

Section I: Establishment

1. The County Road Department has been established by the Oldham County Fiscal Court in accordance to KRS Chapter 179. Since there are County job descriptions for Road Superintendent and County Engineer, this section of the Code shall refer to the function of Road Supervisor/Engineer that shall identify the function and responsibilities as defined in KRS Chapter 179 and is referred to in that chapter as "County Engineer."
2. KRS 179.020 requires that a County Engineer or a County Road Supervisor be appointed by the Judge-Executive with the consent of Fiscal Court.
3. KRS 179.010 defines the term "county engineer" as county road engineer and OAG 93-24 concludes that "county engineer" would also mean county road supervisor where applicable.

Section II: Road Supervisor/Road Engineer

1. The Judge Executive may direct the Road Superintendent report to the County Engineer, or that one or both report directly to him.
2. Under the terms of KRS 179.020, the Road Supervisor or County Engineer shall be appointed for a certain period of time, which will be either two or four years, as the Judge-Executive will recommend, measured from the 2nd Tuesday of January of the nearest odd-numbered year. This will normally occur at the beginning or mid-term of a Fiscal Court term. If an individual is appointed to this function to finish the term of a predecessor, the newly appointed individual shall only serve to the end of the predecessor's term.
3. Whoever has the assured term may be removed by the Judge-Executive at any time for incompetence, malfeasance or misfeasance in office upon written charges and in accordance with KRS 179.060.

Section III: Duties of Road Supervisor/Road Engineer

1. The Road Supervisor/Engineer shall be the head of the Road Department subject to the order and direction of the Judge-Executive or designee.
2. The Road Supervisor/Engineer shall keep such records and make such reports concerning the activities of his department as may be required by statute or by the Judge-Executive and shall perform the following duties:
    A. The Road Supervisor/Engineer is in charge of County roads and bridges in the County and all County roads and bridges are to be maintained or improved as required by law.
    B. Supervise construction and maintenance of roads and bridges, which includes advising and directing employees on road work;
    C. Establish road grades;
    D. Plan construction and maintenance of roads and bridges;
    E. Notify persons responsible for removing obstacles;
    F. Assess cost of performing work if performed by the County;
    G. Prevent flooding of roads;
    H. Measure public roads within the County;

Section IV: Road Department Property

1. Equipment and materials for the Road Department shall be acquired in accordance with the provisions of this Code.
2. Employees of the department shall be responsible for the proper care of department equipment and property and shall promptly report to their supervisor the loss or damage to such property or the unserviceable condition of such property.
3. Road Department employees shall wear required uniforms furnished by the County at all times during working hours.

CHAPTER 8: ETHICS

Section I: Oldham County Code of Ethics

The Fiscal Court has enacted Ordinance No. 94-221-53 establishing an Oldham County Code of Ethics as required by KRS, which governs the conduct of all County officers, employees, and board and commission members. This ordinance is attached as Exhibit 1.

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CHAPTER 9: PERSONNEL ADMINISTRATION

Section I: Introduction

1. These policies help provide for the recruitment, development, and retention of the best employee for each position within the service of the County. The policies are intended to include the following areas:
    A. Recruiting, selecting and advancing employees on the basis of their ability, knowledge and skills, including open competition of qualified applicants for appointment;
    B. Establishing proper pay rates;
    C. Training employees, as needed, to ensure high quality performance;
    D. Retaining employees on the basis of performance, correcting inadequate performance and terminating employees when appropriate;
    E. Ensuring treatment of applicants and employees in all aspects of personnel administration without regard to age, color, disability, gender, national origin, political affiliation, race, religion or any other status protected by applicable law; and
    F. Assuring employees are protected against coercion for partisan, political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the results of an election or a nomination for office.

Section II: Interpretation and Employment Relationship

These policies are intended to provide guidance on personnel issues. These policies are not an employment contract. Unless a statute indicates otherwise, employment at the County is "at-will". This means that employees may terminate their employment at any time for any reason or no reason. The County may do the same. County employees acquire no property rights in or to their employment with the County. The County can modify these policies at any time.

Section III: Responsibilities, Authority and Administration

1. The Judge-Executive shall be responsible for the administration of the County personnel system.
2. Pursuant to KRS 67.710, the Judge-Executive, with the ratification of the Fiscal Court, has the authority to appoint, supervise, suspend, and remove County personnel, unless otherwise provided for by state statute.
3. Notwithstanding the provisions of KRS 67.710(7), KRS 67.711 gives the Judge-Executive express authority to hire a Deputy Judge-Executive, and a reasonable number of other assistants, administrative assistants and clerical workers to work within the Judge-Executive's office, who shall serve at his pleasure. The Fiscal Court, pursuant to KRS 64.530(4), is required to fix reasonable compensation for these positions.

Section IV: Affirmative Action Policy

1. The Affirmative Action Policy of Oldham County is to provide equal employment opportunity; to prohibit discrimination in employment, and to bring about fair representation and utilization of females and minorities at all levels of employment.
2. In keeping with our policy of equal employment opportunity, the County will continue to exercise every equitable means to insure that applicants for employment, as well as present employees, are treated equally without regard to age, color, disability, gender, national origin, political affiliation, race or religion.
3. The policy shall apply to employment, promotion, demotion, or transfer, recruitment, layoff or termination, rates of pay or other terms of compensation; and selection for training in all positions. (DELETED "ALL PHASES OF" BEFORE "RECRUITMENT)
4. Each director has the responsibility of encouraging cooperation in the achievement of the objective of this policy, as witnessed by his signature of this document.
5. The equal employment opportunity program will be reviewed frequently to determine the progress being made.

Section V: Personnel Policies and Procedures Handbook

1. The Judge-Executive shall be responsible for the creation, distribution and maintenance of a Personnel Policies and Procedures Handbook, frequently referred to as the Employee Handbook.
2. The Employee Handbook shall include at a minimum the following adopted policies: a Sexual Harassment Prevention policy, rules and regulations concerning training, recruitment, selection, promotion, and termination, dispute resolution, compensation and benefits, travel and reimbursement, safety regulations and other items which may be deemed important.
3. The Employee Handbook shall be reviewed by the Judge-Executive not less than every twelve (12) months, and updated as often as may be necessary.

CHAPTER 10: DELIVERY OF COUNTY SERVICES

Section I: Services

1. The County shall provide services to its citizens with the following departments:
    A. Animal Control
    B. Central Dispatch

C. Emergency Management
D. Engineering
E. Maintenance
F. Parks and Recreation
G. Planning and Development Services
H. Police
I. Road
J. Solid Waste/Recycling

Section II: Animal Control Department

1. Function: to protect the health and safety of the public and protect the animals of the community from neglect and cruelty.
2. Services include but are not limited to:
    A. Collecting abandoned, stray and unlicensed animals
    B. Operating a lost and found animal program
    C. Humanely caring for animals in its charge
    D. Operating a pet adoption program
    E. Investigating complaints of animal abuse and neglect
    F. Providing the public with information about responsible ownership of animals

Section III: Central Dispatch

1. Function – to operate and maintain the primary Public Safety Answering Point (PSAP) for the citizens of the County to request emergency assistance.
2. Services include but are not limited to:
    A. Maintain a total of four terminals for answering 911 calls related to police, fire and EMS Emergencies
    B. Provide dispatch service for the following agencies: Oldham County Police, Oldham County Sheriff, LaGrange Police, Pewee Valley Police, EMS, Ballardsville Fire, Harrods Creek Fire, Lagrange Fire, North Oldham Fire, Pewee Valley Fire, South Oldham Fire, Westport Fire and Worthington Fire Department

Section IV: Emergency Management Department

1. Function: to direct an emergency management system that protects the life, property, public health, safety and the environment of the citizens of Oldham County through preparedness, response, mitigation, and recovery from disasters and emergencies.
2. Services include but are not limited to:
    A. Coordinate the response efforts for natural or manmade disasters
    B. Supports training for all First Responders through drills and exercises

Section V: Engineering

1. Function: to provide engineering and oversight to the subdivision/development in Oldham County.
2. Services include but are not limited to:
    A. Reviewing subdivision/development plans for compliance with County regulations and engineering practices for roadway and storm water design
    B. Performing site inspection and ensuring compliance with required erosion prevention and sediment control devices; including enforcement
    C. Developing standards for design of roadways, storm drainage and alternative sewer systems

Section VI: The Judge-Executive's Office

1. Function: to provide administration of County fiscal affairs and execution of Fiscal Court approved policies.
2. Services include but are not limited to:
    A. Accounts payable/receivable
    B. Payroll/benefits
    C. Financial oversight of County operations and related agencies

Section VII: Maintenance Department

1. Function: to maintain all county-owned facilities.
2. Services include but are not limited to:
    A. Renovations and new building construction, when needed
    B. Oversees work performed by contractors on county property
    C. Ensure building safety and optimal performance of building systems by instituting preventative maintenance policies to minimize repairs of building systems

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Section VIII: Parks and Recreation Department

1. Function: to develop, operate, and maintain parks and facilities at the highest possible level.
2. Services include but are not limited to:
    A. Operating and maintaining parks, facilities and related amenities
    B. Providing a wide variety of activities and events
    C. Promoting parks, facilities, activities and events
    D. Short and long-term planning and evaluation to maximize efficiency and efficacy
    E. Supporting the functions of other county departments

Section IX: Planning and Development Services Department

1. Function: to provide for comprehensive planning for the County.
2. Services include but are not limited to:
    A. Building and electrical inspections as required by law
    B. Permits
    C. Support for the following:
        i. Code Enforcement
        ii. Planning Commission
        iii. Board of Adjustments (City and County)
        iv. Technical Review Committee
    D. Implementation of the Comprehensive Plan

Section X: Police Department

1. Function: to be provide professional law enforcement services to the residents and businesses of the County.
2. Services include but are not limited to:
    A. Patrol services
    B. Accident investigation
    C. Crime investigation
    D. Traffic control and enforcement

E. Crime prevention services
F. Jointly participate in community functions
G. Respond to hazards and critical incidents
H. Assist other emergency services
I. Record management
J. Provide community services as needed
K. Apprehension of criminals

Section XI: Road Department

1. Function: to maintain the more than 300 miles of County roadways in a safe condition for public use.
2. Services include but are not limited to:
   A. Paving and resurfacing roads
   B. Patching potholes
   C. Maintaining road shoulders
   D. Clearing snow and ice from County roads and parking lots of County-owned buildings
   E. Maintaining County rights-of-way by trimming brush and trees and mowing
   F. Installing driveway drainage culverts and building necessary headwalls for driveways entering a County road
   G. Installing and maintaining traffic safety signs and street name signs
   H. Inspecting new subdivision streets constructed in the unincorporated portions of Oldham County

Section XII: Solid Waste/Recycling Department

1. Function – to insure proper and efficient disposal of solid waste and recyclable materials while minimally impacting the environment.
2. Services include but are not limited to:
   A. Collection and sale of recyclable materials
   B. Public education about waste reduction