

POLK COUNTY **CODE OF ORDINANCES**
Chapter 2 - Administration

§ 210.00 LIMITS UPON CIRCUIT CLERK TO NOTIFY PROMPTLY THE COUNTY CLERK/REGISTRAR OF VOTERS OF PERSONS CONVICTED OF FELONIES AS REQUIRED BY AMENDMENT 51.

- 1) That pursuant to Amendment 51, Section 11(d) to the Arkansas Constitution the Circuit Clerk is vested with the following constitutional duty: “It shall be the duty of the Circuit Clerk of each County upon the conviction of any person of a felony to notify promptly the permanent registrar of the county of residence of such convicted felon.”
- 2) That the phrase “notify promptly” shall be and hereby is defined as the delivery to the County Clerk or permanent registrar of a County a copy of the judgment and commitment order or the judgment and disposition order filed with the Circuit Clerk in which a person is convicted of a felony and said delivery shall be completed by hand delivery, first-class U.S. Mail, fax transmission, or electronic mail transmission within ten business days from the date of the filing with the Circuit Clerk of said judgment and commitment order or said judgment and disposition order.
- 3) That delivery of either said judgment and commitment order or judgment and disposition order shall be to the County Clerk or permanent county registrar in the county of last known residence of the person so convicted of a felony.
- 4) That upon a sworn statement and complaint from any person having reasonable and probable cause to believe the Circuit Clerk has failed to comply with the provisions set forth in paragraphs (1), (2), and (3) above the Prosecuting Attorney may commence a prosecution by filing a criminal information and require the issuance of a summons in the District Court of Polk County, Arkansas, alleging a violation of this Ordinance, which upon conviction shall be considered a violation under Arkansas law and punishable by a fine of up to one hundred dollars (\$100.00) per offense.
- 5) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.

[\(Ord. 2002-007](#), passed 06-26-2002)

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Article III. COUNTY ORGANIZATIONS

A.C.A. § 14-14-704. Establishment of county departments.

- (a) The county quorum court of each county, by ordinance, may establish any number of departments for the conduct of county affairs and may prescribe the functions and duties of each department. This authority of a quorum court to establish county departments shall be conclusive and shall supersede any department organizations established by any elected county officer:

- (b)
 - (1) **DIRECTION OF DEPARTMENTS.** All departments established by ordinance of the quorum court shall be under the direction and supervision of the county judge except departments assigned to other elected officers of the county. Departments established and assigned to an elected officer other than the county judge shall be under the direction and supervision of the respective county officer.

 - (2) **JOINT DEPARTMENTS.** Two (2) or more county governments may provide for the establishment of joint departments for the conduct of county affairs. Joint departments so created shall be established by interlocal agreements. The direction and supervision of joint departments shall be under the combined authorities of the county judge of each respective county in a manner to be prescribed by ordinance.

 - (3) **EMPLOYMENT OF DEPARTMENT ADMINISTRATOR.** An ordinance establishing a department of county government may provide for the employment of a department administrator; such ordinance may prescribe minimum qualifications for the person so employed as administrator. However, the county judge alone shall employ all county personnel, except employees of other elected county officers. Where a department is established by the quorum court and the responsibility for direction and supervision of the department is assigned to an elected county officer other than the county judge, the elected county officer so designated shall employ all personnel authorized to be employed by the ordinance.

 - (4) **MANAGEMENT REPORTS.** A quorum court may require, by ordinance, reports for any purpose from any elective county office, department, board, or subordinate service district, or any administrator or employee of them.

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- 4) The Coassatot Public Facilities Board of Polk County, Arkansas shall include and be comprised of all that part of Polk County, Arkansas, which lies and is situated South of the division line between Township 2 South and Township 3 South of Polk County, Arkansas.
- 5) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.
([Ord. 1981-154](#), passed 09-08-1981)

§ 220.01 COUNTY DEPOSITORY BOARD.

- 1) The Board shall designate depositories and supervise the depositing of all county funds, and all other public funds held by the County Treasurer, except funds of a school district, and shall also designate depositories and supervise the depositing of all funds collected and held by the County Collector.
- 2) The Board may also require county officials to settle with the County Treasurer more frequently than required by law.
- 3) All depositories shall be those institutions that have been approved for the deposit of public funds in accordance with the provisions Section 1 of Act 21 of 1935 (Ark. Stats. 13-801).
- 4) County officials are required to make timely investment of public funds in order to earn optimum interest consistent with the prudent man rule for investments required by Arkansas law.
- 5) County officials may require the Collateralization for the deposit or investment of public funds for amounts not fully insured directly by the United States of America.
- 6) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.
([Ord. 1987-276](#), passed 08-11-1987)

§ 220.02 WATERWORKS FACILITIES BOARD.

- 1) In accordance with and pursuant to the authority conferred by the provision of the Act, there is hereby created and established a public facilities board (the “Board”), with

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authority as hereinafter provided to accomplish, finance, contract concerning, and otherwise dispose of and deal with waterworks facilities. The term *waterworks facilities* as used in this Ordinance shall have the meaning set forth in the Act.

- 2) The name of the Board shall be “Polk County, Arkansas Waterworks Facilities Board”.
- 3) The initial members of the Board, to be appointed by the County Judge, each of whom is a qualified elector residing in the County, and their respective terms of office shall be:
 - a. One year
 - b. Two years
 - c. Three years
 - d. Four years
 - e. Five years

Each member shall take and file with the County Clerk the Oath of Office prescribed by the Act.

- 4) The Board is authorized, from time to time, to own, acquire, construct, reconstruct, extend, equip, improve, sell, lease contract concerning or otherwise dispose of waterworks facilities.
- 5) The Board is authorized to issue revenue bonds from time to time and use the proceeds thereof as required to provide waterworks facilities, including the creation of any desired reserve funds, and paying the costs of the issuance of such bonds. Any such revenue bonds shall be obligations only of the Board and shall not constitute an indebtedness for which the faith and credit of the County or of any of its revenues are pledged, and the principal of and interest on the Bonds shall be payable from and secured by a pledge of revenues derived from waterworks facilities financed, in whole or in part, from bond proceeds and any other sources as authorized by, and in accordance with, the provisions of the Act.
- 6) The Board shall have all the powers provided for in the Act, subject to the limitations of this Ordinance, and shall carry out its duties in accordance with the Act, including the filing of the annual report required by Section 18 of the Act, the Board shall take all appropriate action necessary to comply with the Constitution and laws of the United States of America and the State of Arkansas, including matters related to open public meetings as provided by Act 93 of 1967, as amended.

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Article IV. COUNTY POLICIES.

Section

General Policies

- 240.00 Guidelines for a minimum property accounting system.
- 240.01 Policies and procedures relating to county information systems, computers and software.
- 240.02 Policies and procedures for county credit cards and reimbursement of credit card purchases.
- 240.03 Policies and procedures for the use of county vehicles.
- 240.04 Compensation to be paid to election officials.

Employee / Employment Policies

- 250.00 Employee benefits policy.
- 250.01 Employment policy.
- 250.02 Nepotism policy.
- 250.03 Travel reimbursement policy.
- 250.04 Payment in advance authorized for mandatory training requirements for county employees.
- 250.05 County employment applicants required to possess and maintain a valid driver's license
- 250.06 Policies and procedures relating to county uniforms, protective clothing, and safety gear.

Purchasing Policies

Reserved.

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General Policies

§ 240.00 GUIDELINES FOR A MINIMUM PROPERTY ACCOUNTING SYSTEM.

1) INTRODUCTION. A significant part of Polk County budget is spent on capital outlay; and since items purchased have more than a year's useful life, adequate accounting procedures are necessary.

a. **Definition.** Items purchased that have an estimated useful life of more than one (1) year and a minimum purchase cost of One Thousand Dollars (\$1,000.00) or more shall be recorded on the County Property Inventory System, with said cost defined in Section (2)(c).

b. **Major Categories.**

- i. Land
- ii. Buildings
- iii. Equipment
- iv. Construction in Progress

c. **Inventory Objectives.**

- i. Periodically check the condition and availability of items. (Check working conditions; temporarily out of service, has been stolen).
- ii. Decide what items to inventory and select proper inventory methods.

2) RECORDING THE ACQUISITION.

a. **Required Information for Asset Record.** This Ordinance establishes a record for each item of equipment with the following recorded for each item:

- i. County property tag number.
- ii. Identification and/or serial number.
- iii. Description.

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- iv. Original cost.
 - v. Date of purchase and vendor.
 - vi. Claim number.
 - vii. Location.
 - viii. Date discarded, destroyed or sold.
 - ix. Explanation of disposal with court order number.
- b. Setting up inventory for the first time, some of the above information might have to be estimated. (Example: cost, date of purchase, etc.). Every item shall have a cost.
- c. Fixed assets may be acquired in various ways:
- i. Cost. Asset should be recorded net of quantity discounts; plus trade in value; include freight, tax, set up cost, and interest cost during construction period.
 - ii. Lease- Purchase. Asset should be recorded at the cash price which is total principal payments. (No interest or insurance).
 - iii. Self-constructed. The cost of the asset should include all directly related expenses, such as direct labor, direct materials.
 - iv. Confiscated/Donated. Asset should be recorded at the fair market value at the time of donation/confiscation.
 - v. When to post to financial accounting records. After the initial inventory is made an expenditure charged to Code 90 through 95 (line items) should be entered on the inventory at the time the claim is approved.
 - vi. When to delete from financial accounting records. Any item sold should have a corresponding entry showing the date and manner of description at the time the item is sold. Items discarded, destroyed or stolen should be indicated as soon as the information becomes known. This information should be entered as follows:

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Criteria for Distinguishing Equipment From Supply Items (Listed in Priority Order)		
Lasts more than one year	NO	YES
Repair rather than replace	NO	YES
Independent unit rather than being incorporated into another unit item	NO	YES
Exceeds minimum dollar value of \$1,000.00	NO	YES

4) **CRITERIA FOR DISTINGUISHING BETWEEN BUILT-IN EQUIPMENT AND MOVEABLE EQUIPMENT.**

a. **Built In (Added to Buildings).**

- i. It is an integral part of a building; that is, it is permanently fastened to the building, functions as part of the building and causes appreciable damage to the building if it is removed.
- ii. It is permanently attached to a site and functions as part of the site (except buildings or other structures).

b. **Equipment (Moveable).**

- i. Are transportable from one location to another without appreciable damage or change to the location from which they are removed or to the location where they are installed.
- ii. Do not function as integral parts of the building or site and are not permanently fastened or attached to the building or site.
- iii. A piece of equipment that is simply bolted or screwed to the floor, such as a heavy lather or desk, and can be moved as a unit once these fasteners

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welfare, shall be in full force and take effect from and after its date of passage and approval.

([Ord. 2008-029](#), passed 01-05-2009)

§ 240.02 POLICIES AND PROCEDURES FOR COUNTY CREDIT CARDS AND REIMBURSEMENT OF CREDIT CARD PURCHASES.

1) DEFINITIONS.

- a. *County Official* – shall be defined as any elected county officer having countywide jurisdiction and elected members of the Polk County Quorum Court.
- b. *County Employee*- shall be defined as any person employed in a full-time or part-time capacity with Polk County, Arkansas.
- c. *Credit card*- shall be defined as any instrument or device issued with or without fee by an issuer for use in obtaining money, goods, services, or anything else of value on credit.
- d. *County credit card* – shall be defined as a credit card applied for by the County Judge and specifically designated by the County Judge for use by a county official or county employee for authorized purchases only.
- e. Said definitions within this section are for purposes of this Ordinance only and do not repeal or amend any portion or term within any existing ordinance making reference to county official or county employee.

2) COUNTY CREDIT CARD PROCURAL.

- a. All county credit card accounts shall be procured and applied for by the County Judge in the name of Polk County, Arkansas. Any County official who determines it necessary to acquire a county credit card shall make a written request to the County Judge stating the purpose and need for said county credit card.
- b. No county official or county employee, other than the County Judge, shall procure or apply for any credit card account on behalf of Polk County, Arkansas, or any county office, entity, department or agency, in which Polk County, Arkansas, is financially responsible or liable for repayment of indebtedness arising from the use of such credit card account.

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purpose. Upon assignment, the county official shall maintain a written log containing the credit card account number, credit card number (if more than one card is issued on said county credit card account), time and date county credit card is assigned for use to a county employee, purpose for assignment, name of county employee to which it is assigned, the time and date when the said county credit card is returned, and the signatures of the county employee upon assignment and return of the county credit card. In the event the county official assigns county credit cards to county employees who are required to possess a county credit card at all times in the performance of employment, the inventory log shall note the county employee is assigned a county credit card for daily carry and usage until a specific return date within said county fiscal year.

- d. The County Judge shall develop a uniform county credit card log to be used by all county officials upon issuance of a county credit card in accordance with the provisions of this Ordinance.

4) **AUTHORIZED PURCHASES OF GOODS AND SERVICES.**

- a. As hereby adopted as a policy of Polk County, each county official shall use numbered invoices and purchase orders when procuring goods and services in the normal course of conducting county business whenever possible and the use of county credit card shall be limited.
- b. Each county official shall use, or authorize county employees within their direct supervision to use, a county credit card for the purpose of travel and lodging expenses while on official county business, or for the purchase of goods and services in the normal course of county business which cannot be purchased using any other payment method, or in the case of an emergency or time sensitive delivery of certain goods or services.
- c. No official or county employee shall use a county credit card to purchase any good or service that is not directly related to county business. The use of a county credit card for personal purchases is strictly prohibited.
- d. Any county employee in possession of a county credit card shall report immediately upon notice the loss or theft of said credit card to the supervising county official, who shall then immediately notify the County Judge and credit card company.

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- e. Any county employee in possession of a county credit card shall deliver said credit card to the supervising county official immediately upon demand.

5) **TIMELY SUBMISSION OF RECEIPTS AND DOCUMENTATION.**

- a. Within three business days of the date of purchase, any county employee having used a county credit card to purchase goods or services shall submit to the county official the credit card charge receipt itemizing the specific purchase, or numbered invoice listing the specific purchases and evidencing proof of purchase with county credit card transactions, unless good cause is shown to the county official for the delay. Each itemized receipt, or numbered invoice with proof of county credit card purchase, shall be signed by the county official or county employee who purchased said goods or services.
- b. To minimize finance charges and fees, each county official shall submit properly documented and itemized payment claims for county credit card purchases to the County Clerk as soon as possible for issuance of warrant within the credit card billing cycle, if feasible.

6) **REIMBURSEMENT OF PURCHASES WITH NON-COUNTY CREDIT CARDS.**

- a. Within three business days of the date of purchase, any county employee having used a personal non-county credit card to purchase goods or services shall submit to the county official the credit card charge receipt itemizing the specific purchase, or numbered invoice listing the specific purchases and evidencing proof of purchase with said non-county credit card transaction, unless good cause is shown to the county official for the delay. Each itemized receipt, or numbered invoice with proof of non-county credit card purchase, shall be signed by the county official or county employee who purchased said goods or services in the normal course of business for Polk County.
- b. Each county official shall submit properly documented and itemized payment claim for personal non-county credit card purchases to the County Clerk as soon as possible for issuance of warrant for reimbursement to the county employee or county official within the credit card billing cycle, if feasible. In no event shall Polk County be liable for finance charges or fees charged to the personal non-county credit card for authorized purchases of goods and services in the normal course of business for Polk County.

7) **PROHIBITED CREDIT CARD USE.**

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- a. No county credit card shall be used by a county official or county employee to purchase any good or service which is for personal use; not authorized by the supervising county official for use in the normal course of business of Polk County; prohibited by Arkansas law or county ordinance to be purchased a county governmental unit; an alcoholic beverage; a controlled substance; a lottery or wager; or is otherwise illegal or contraband as defined by state or federal law.
- b. Any fraudulent or criminal use of a county credit card by a county official or county employee will be subject to criminal prosecution.

8) **PENALTIES AND SANCTIONS FOR NON-COMPLIANCE.**

- a. If any county employee makes an unauthorized purchase of goods or services with a county credit card or if a signed, itemized receipt is not timely provided to the county official for the authorized purchase of goods or services, then the county employee may be personally responsible for the amount of said purchase and subject to any other sanction deemed appropriate by the supervising county official.
- b. If any county official makes an unauthorized purchase of goods or services with a county credit card or if the county official fails to provide a signed, itemized receipt for the county official's authorized purchase of goods or services, then the county official may be personally responsible for the amount of said purchase and subject to any other applicable provision of Arkansas law.
- c. Authorization is hereby given to the Prosecuting Attorney, or designated county civil attorney, to pursue any available remedy under Arkansas law to collect any sums owed to Polk County by a county official or county employee upon failure to comply with this Ordinance.
- d. Failure to comply with this Ordinance may also result in the County Judge canceling county credit card issuance or use by a county official or confiscation from a county employee of a county credit card.

- 9) **EMERGENCY CLAUSE.** An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.

([Ord. 2008-030](#), passed 01-05-2009)

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- i. County vehicles in which a traffic violation is cited to the operator, or which is involved in any single or multiple car accident resulting in property damage of any amount of personal
- 3) PROCEDURES FOR USE OF ASSIGNED VEHICLES.
- a. Each county official shall make the determination whether the county official or any employee requires the use of an Assigned Vehicle to perform the official duties and requirements of the office.
 - b. Each county official shall establish a written policy consistent with this Ordinance for the use of an Assigned Vehicle including mileage log book review, maintenance schedules, repairs, designations of fuel and maintenance providers, and interior/exterior cleaning and detailing.
 - c. The use of an Assigned Vehicle shall be temporary in nature for the performance of county duties and does not bestow or confer any economic benefit or entitlement to the county official or county employee assigned to use said Assigned Vehicle.
 - d. The personal use of an Assigned Vehicle is strictly prohibited. Other than county officials and other county employees, no passengers may be transported in an Assigned Vehicle except as required for official duties or as approved by the County Official, or designated supervisor. Assigned Vehicles in use performing emergency, fire, public safety, or law enforcement functions shall be subject to the written policies established by the County Official pertaining to the use thereof in accordance to state and federal law and consistent with the provisions of this Ordinance.
- 4) PROCEDURES FOR USE OF TAKE HOME VEHICLES.
- a. Each county official shall make the determination whether the county official or county employee requires the use of, and is eligible for, a Take Home Vehicle to perform the official duties and requirements of the office.
 - b. Each county official shall establish a written policy consistent with this Ordinance for the use of a Take Home Vehicle including mileage log book review, maintenance schedules, repairs, designation of fuel and maintenance providers, interior/exterior cleaning and detailing, commuting and allowable passengers.

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right of the employee to take advantage of the benefits provided is contingent on the happening of a specified event. If the event (accident, illness, etc.) never occurs, the employee is not entitled to the benefit. Thus, on leaving County employment, employees are not entitled to be paid for any accrued, unused sick leave. All regular full-time employees and regular part-time employees working in excess of 1,000 hours per year are eligible for sick leave with pay after one month of continuous employment.

- b. **Accrual.** Sick leave for regular full-time employees shall accrue on the basis of twelve days per year with a maximum accrual of sixty days.

Sick leave for regular part-time employees shall accrue on a pro rata basis in the same manner as vacation leave.

- c. **Usage.** An employee may utilize his accrued sick leave upon approval of the appropriate supervisory authority for absence due to:
- i. Illness;
 - ii. Non-occupational injury;
 - iii. Doctor and dentist appointments; OR
 - iv. Death or serious illness of a member of the employee's immediate family. Immediate family is defined as the father, mother, sister, brother, spouse, child, grandparents, in-laws, or any individual acting as a parent or guardian of an employee. Sick leave shall be deducted from the accrued sick leave allowance on the basis of work days and not calendar days.
- d. **Proof.** Employees returning from sick leave of five or more consecutive working days must submit a certificate signed by a doctor verifying a sickness, disability or other condition provided for herein precluding regular work for the time involved. If no certificate is to be furnished, the entire leave will be deducted from vacation leave without pay and appropriate adjustments will be made in the employee's salary.
- e. **Separation.** Upon resignation, dismissal or death of any employee, the number of days of sick leave remaining to his credit shall lapse.
- f. **Maternity Leave.** Covered by Family Medical Leave.

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g. **Injury on Job.** Covered by Worker's Compensation.

- 4) **TRANSFERRING SICK/VACATION DAYS.** Employees of Polk County may volunteer (donate) a specified number of sick/vacation days to another employee of the County. These volunteer days to be stated by the employee in writing with the approval of the elected official affected. This only applies when an employee has exhausted all of his/her sick and vacation days.

- 5) **MILITARY LEAVE.** Regular, full-time employees who are members of the National Guard or of the reserve branches of the armed forces shall be granted leave at the rate of fifteen days per calendar year, plus necessary travel time for annual training requirements. To the extent this leave is not used in a calendar year, it will accumulate for use in the succeeding calendar year until it totals fifteen days at the beginning of a calendar year. The leave shall be granted without loss of pay and in addition to regular time. Each employee who requests military leave shall furnish a copy of his orders for his personnel file.

An employee who is drafted or called to active duty in the armed forces of the United States or who volunteers for military service shall be placed on extended military leave without pay and upon application within ninety days after the effective date of his release from active duty shall be reinstated to the position vacated or an equivalent position at no loss of seniority or any of the other benefits or privileges of employment. The right of reemployment shall conform with all Federal government rules and regulations. Any employee who enlists or reenlists for a second consecutive tour of military duty shall be deemed to have forfeited his reemployment rights.

Personnel called to duty in emergency situations by the governor or the president shall be granted leave with pay not to exceed thirty working days after which leave without pay will be granted. This leave shall be granted in addition to regular vacation time.

Emergency Situation- means any case of invasion, disaster, insurrection, riot, breach of peace, or imminent danger thereof, threats to the public health or security, or threats to the maintenance of law and order.

Personnel called by the Governor of Arkansas to active duty as a member of the Arkansas National Guard or as a member of the militia, shall be afforded such employment and reemployment right, privileges, benefits and protection in employment as though that person had been called to active duty in service of the United States and shall not be denied hiring, retention in employment, promotion, or other incident or

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advantage of employment because of any obligation as a member of the Arkansas National Guard or the militia.

- 6) **EDUCATIONAL LEAVE.** Educational leave is defined as a period of out-service training requested by the county elected official during which time the employee pursues a regular, full-time, or part time course of instruction to acquire a specific skill or educational training needed by the employing county office.

A full-time employee pursuing said out-service training on a full-time or part time basis shall be subject to the following conditions:

- a. If a full-time employee pursuing said out of service training on a full-time or part-time out-of-service training, either as required by the elected official or as requested by the employee, then said employee shall use said completed training to the best benefit of Polk County.
- b. If a full-time employee, having successfully completed either full-time or part-time out-service training, either as required by the elected official or as requested by the employee, voluntarily separates and leaves county employment within one year of having successfully completed out-service training, then said employee shall be responsible for the total cost of all out-service training, completed within one year from said date of voluntary separation unless the elected official can demonstrate for good cause why said reimbursement should not be collected in the best interests of justice. Further, if said employee fails to complete or does not successfully pass any class, seminar, or course of study in any requested or required out-service training, then said employee shall be responsible for repayment of the total cost of all sums expended for said out-service training unless said employee can demonstrate for good causes shown for the basis for said failure, as to be determined by the elected official. In the event of termination or involuntary separation, said terminated employee shall not be responsible for payment of out-service training costs. A written contract shall be signed by the employee and Polk County setting forth all the terms of the agreement.
- c. The employee will retain his rights in the position held at the time when leave was granted or is one with comparable security and pay if full-time, out-service training is required by the elected official.
- d. The employee will retain all employment benefits and rights during the full-time training period which accrued during that time to regular employees.

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9) FAMILY AND MEDICAL LEAVE ACT (FMLA) LEAVE POLICY:

- a. **Purpose.** The purpose of the Family and Medical Leave Act (FMLA) of 1993 is to balance the needs of families with the demands of the workplace. It was designed to promote our country's interest in preserving family unity while accommodating the legitimate interests of employers.
- b. **Equality.** The FMLA legislation seeks to minimize the potential for employment discrimination on the basis of gender consistent with the Equal Protection Clause of the Fourteenth Amendment by assuring that leave is available when necessary for both men and women.
- c. **Twelve Weeks Unpaid Leave.** The County will grant up to twelve weeks of unpaid leave per year to employees who need to care for family members.
- d. **Qualifying Employees.** An employee must have been employed for at least twelve months and worked at least 1,250 hours during the previous twelve months to qualify for FMLA leave.
- e. **Purposes for which Leave can be taken.** Employees are entitled to take up to twelve weeks unpaid (FMLA) leave a year for:
 - i. The birth of the employee's child;
 - ii. The placement of a child with the employee for adoption or foster care;
 - iii. To care for the employees spouse, child or parent who has a serious health condition;
 - iv. A serious health condition rendering the employee unable to perform his or her job.
- f. **Intermittent Leave.** The employee may take leave intermittently or on a reduced work schedule when medically necessary due to the employee's or a family member's illness.
- g. **Notice Required.** The employee is to provide at least thirty days' notice, if possible, of the intention to take leave.

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Disabilities Act.

- 2) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.

[\(Ord. 2006-030](#), passed 01-05-2007)

§ 250.06 POLICIES AND PROCEDURES RELATING TO COUNTY UNIFORMS, PROTECTIVE CLOTHING, AND SAFETY GEAR.

- 1) DEFINITIONS.

- a. *County Official* – shall be defined as any elected county officer having countywide jurisdiction and elected members of the Polk County Quorum Court.
- b. *County Employee*- shall be defined as any person employed in a full-time or part-time capacity with Polk County, Arkansas.

- 2) POLICIES AND PROCEDURES.

- a. That it shall be the policy of Polk County that the Polk County Judge and Polk County Sheriff shall have discretion to provide uniforms, protective clothing, and safety gear to the following county employees as deemed necessary:

Sheriff, Deputy Sheriff's, Jailer/Dispatchers, County Maintenance Workers, County Road Department Workers, and Office of Emergency Management Coordinator.

- b. The County Judge and County Sheriff shall develop written procedures for determining the purchasing, issuance, maintenance, and eligibility of county employees within their respective offices for uniforms, protective clothing, and safety gear, which are consistent with the Internal Revenue Code regarding these matters.

- 3) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.

[\(Ord. 2008-031](#), passed 01-05-2009)

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Reserved.

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- 3) REPEALER. Any ordinance in conflict with this Ordinance is hereby repealed.

- 4) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.
([Ord. 2004-010](#), passed 05-27-2004)

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Article VI. COUNTY FUNDS AND FEES

Section

- 290.00 Additional \$5.00 fee for marriage license application.
- 290.01 Drug court fund.
- 290.02 Drug control fund.
- 290.03 Assessor's late assessment fee fund.
- 290.04 Coronavirus relief fund.

§ 290.00 ADDITIONAL \$5.00 FEE FOR MARRIAGE LICENSE APPLICATION.

- 1) There shall be levied an additional fee for any marriage license application of five dollars (\$5.00) in addition to any fees and taxes now charged, pursuant to Act 465 of 1989.
- 2) The Polk County Clerk is to add a fee of five dollars to each marriage license application and at the end of each month said Clerk is to turn over to the Polk County Treasurer any fees collected under this Ordinance and the County Treasurer is to credit these fees to the County General Fund and shall be appropriated by the Quorum Court as provided by law. The total fee for a marriage license in Polk County now being \$30.00.
- 3) This Ordinance is effective January 1, 1990.
([Ord. 1989-340](#), passed 11-14-1989)

§ 290.01 DRUG COURT FUND.

- 1) That as authorized by Arkansas law, a Circuit Court Drug Court Fund shall be established in Polk County, Arkansas.
- 2) That the Polk County Sheriff's Office shall be and hereby is authorized to collect said Drug Court Program fee in the amount as ordered by the Circuit Court from any criminal defendant participating in said Drug Court Program.
- 3) That upon collection, the Polk County Sheriff's Office shall be and hereby is authorized to disburse said collected program fees into the Drug Court Program Fund, as to be administered by the Polk County Treasurer, who shall be authorized to make

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disbursements from said fund as shall be ordered by the Circuit Court.

- 4) That said Drug Court Program Fund shall be maintained according to Arkansas law and subject to annual audit by the Division of Legislative Audit.
- 5) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.
([Ord. 2004-006](#), passed 03-08-2004)

§ 290.02 DRUG CONTROL FUND.

- 1) That the Sheriff shall create the Drug Control Fund for the Sheriff of Polk County, Arkansas, a special revenue fund for the express purposes and use as defined in A.C.A. §§ 5-65-505, et seq., as amended, regarding civil forfeiture of drug proceeds and profits.
- 2) That the Sheriff is hereby authorized to transfer up to a maximum of \$5,000.00 of the current drug control fund bank account to an interest bearing checking account designated as the Drug Control Fund as established by this Ordinance.
- 3) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, safety and welfare, shall be in full force and take effect from and after its date of passage and approval.
([Ord. 2009-004](#), passed 05-26-2009; Am. [Ord. 2011-002](#), passed 02-23-2011)

§ 290.03 ASSESSOR’S LATE ASSESSMENT FEE FUND.

- 1) AFFIRMATION. The Quorum Court of Polk County recognizes that Arkansas law, pursuant to Ark. Code Ann. § 26-26-201(d) *requires* that “in addition to the penalties for not assessing, delinquent persons *shall be required* to pay an additional fifty cents (50 cents) for each [delinquent] list, which shall go to the county assessor. This additional sum *shall be* collected by the county collector in the usual manner.”
- 2) ESTABLISHMENT OF FUND. The Quorum Court, under its authority granted under Arkansas Constitutional Amendment 55, Ark. Code Ann. § 14-14-801, 14-14-901, and 14-14-907 hereby creates and establishes the Assessor’s Late Assessment Fee Fund exclusively for the purpose of depositing funds collected by the county collector pursuant to Ark. Code Ann. § 26-26-201(d), and for expenditures to help pay for the assessor’s expense of assessing property, subject to appropriation by the Quorum Court. Monies in the fund shall be allowed to accumulate and the fees collected shall not be used in the

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date of passage and approval.

([Ord. 2020-014](#), passed 10-28-2020)

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