

**COLUMBIA COUNTY            CODE OF ORDINANCES**  
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**Chapter 2:            ADMINISTRATION**

**Article**

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**Article I.    QUORUM COURT**

**A.C.A. § 14-14-702. Authority to establish – restrictions.**

The county quorum court of each county may prescribe, by ordinance, the department, board structure, and organization of their respective county governments and may prescribe the functions of all offices, departments, and boards, However, no ordinance shall be enacted by a quorum court which:

- (1) Divests the county court of any of its original jurisdictions granted by the Arkansas Constitution. However, where any county ordinance establishing a department or board and the assignment of functions thereof interferes with the jurisdictions of the county court, it shall be implied that the functions and acts may be performed on order of the county court or proper order of superior courts on appeal;
- (2) Alters the organization of elected county officials established by the Arkansas Constitution, except through the provisions of Arkansas Constitution Amendment 55, § 2, Part (b). However, any function or duty assigned by statute may be reassigned by ordinance; or
- (3) Limits any provision of state law directing or requiring a county government or any officer or employee of a county government to carry out any function or provide any service. However, nothing in this section shall be construed to prevent the reassignment of functions or services assigned by statute where Arkansas reassignment does not alter the obligation of the county to continue providing such function or service.

**A.C.A. § 14-14-904(a)-(c). Procedures Generally.**

**(a) TIME AND PLACE OF QUORUM COURT ASSEMBLY.**

- (1) (A)(i) The justices of the peace elected in each county shall assemble and organize as a county quorum court body on the first regular meeting date after the beginning of the justices' term in office.
  - (ii) Alternatively, the county judge may schedule the biennial meeting date of the quorum court on a date in January other than the first regular meeting date of the quorum court after the beginning of the justices' term.
- (B) Thereafter, the justices shall assemble each calendar month at a regular time and place as established by ordinance and in their respective counties to perform

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the duties of a quorum court, except that more frequent meetings may be required by ordinance.

- (2) By declaration of emergency or determination that an emergency exists and the safety of the general public is at risk, the county judge may change the date, place, or time of the regular meeting of the quorum court upon twenty-four-hour notice.

(c) **SPECIAL MEETINGS OF THE QUORUM COURT.**

- (1) The county judge or a majority of the elected justices may call a special meeting of the quorum court upon at least twenty-four (24) hours' notice in such manner as may be prescribed by local ordinance.
- (2) In the absence of procedural rules, the county judge or a majority of the elected justices may call a special meeting of the quorum court upon written notification of all members not less than two (2) calendar days prior to the calendar day fixed for the time of the meeting. The notice of special meeting shall specify the subjects, date, time, and designated location of the special meeting.
- (3) (A) Notice of assembly of a county grievance committee or assembly of less than a quorum of the body, referred to under this section as a "regular committee" or "special committee", may be provided upon oral notice to the members of at least forty-eight (48) hours unless an emergency exists.  
  
(B) If an emergency exists, written notice of at least twenty-four (24) hours stating the basis of the emergency shall be provided.

**A.C.A. § 14-14-801(a). Powers Generally.**

- (a) As provided by Arkansas Constitution, Amendment 55, § 1, Part (a), a county government, acting through its county quorum court, may exercise local legislative authority not expressly prohibited by the Arkansas Constitution or by law for the affairs of the county.

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**Section**

200.00 Rules of procedure for transacting business at all regular and special sessions.

200.01 Juror pay.

**§ 200.00 RULES OF PROCEDURE FOR TRANSACTING BUSINESS AT ALL  
REGULAR AND SPECIAL SESSIONS.**

- 1) **PROCEDURAL RULE.** In the absence of a specific rule of procedure, as set out in this procedural Ordinance, the rules of procedure for transacting business at all regular and special sessions of the Court shall be Robert's Rules of Order, Newly Revised, except where they are in conflict with the general laws of the state. The Quorum Court may, at any regular meeting, revise or modify these rules or adopt new rules by a majority vote of the full membership. (A.C.A. § 14-14-904)
- 2) **SECRETARIAT DESIGNATED.** The County Clerk shall serve as secretariat to the Quorum Court and shall perform all administrative and record keeping duties of secretariat of the Quorum Court. The Quorum Court may, by Ordinance, provide for the employment of a secretariat of the clerk provided such employee so designated shall be an employee of the Court Clerk or the County Judge as may be specified by the Ordinance.

The secretariat of the Quorum Court shall keep written minutes that include the final vote on each Ordinance or resolution indicating the vote of each individual member. (A.C.A. § 14-14-902 and 14-14-903)

- 3) **RECORDATION OF ORDINANCE AND RESOLUTIONS.**
  - a) **Register.** There shall be maintained in the office of the secretariat of the Quorum Court a "County Ordinance and Resolution" register for all the Ordinances, resolutions, and amendments to each adopted and approved by the Court. Entries in such register shall be sequentially numbered in the order adopted and approved, provided, however, that a separate sequential numbering system shall be maintained for both Ordinances and resolutions. The Register shall be maintained by the secretariat as a permanent record of the Court, and shall contain that minimum information needed for indexing as required in A.C.A. § 14-14-903.
  - b) **Permanent Record.** There shall be maintained in the courthouse a permanent record of all Ordinances and resolutions, in the form of a uniform, bound County Code, in which each enactment is entered in full after passage and approval, except when a code or budget is adopted by reference. Such permanent record shall be so indexed to provide for efficient identification, location, and retrieval of

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all Ordinances and resolutions by subject, register number, and date enacted. Such permanent record may be by book and page. Use of a form of codification such as that used by the State of Arkansas will constitute substantial compliance with this section and state law.

4) AGENDA.

- a) It shall be the responsibility of the County Judge to prepare and distribute the agenda of the Quorum Court to its members and other interested citizens. An Ordinance may only be introduced by a member of the Quorum Court.
- b) Three members of the Quorum Court and the County Judge may jointly submit items after the agenda closes, if it is considered to be in the best interest of the County. The agenda shall close at 4:30 p.m. three business days preceding any regular or special called meeting of the Quorum Court.

5) REGULAR MEETINGS. The regular monthly meeting of the Quorum Court shall be held on the first Monday of each month at 5:00 p.m. in the County courthouse. When a regular meeting of the Quorum Court falls on a recognized County holiday, the meeting shall be held at the time and place set by the Quorum Court at the regular monthly meeting preceding the holiday. All regular meetings of the Quorum Court shall conform to the Arkansas Freedom of Information Act (A.C.A. § 14-14-904(a)).

6) SPECIAL MEETING.

- a) The County Judge or a majority of the elected Justices of the Peace may call a special meeting upon at least 24 hours' notice. Notice of a special meeting shall specify the subjects, date, time, and designated location of the special meeting. Only such business as was included in the notice may be considered.
- b) Notice of a special meeting given at any regular or special meeting of the Quorum Court shall constitute due notice to the members present. The County Judge shall be responsible for giving timely notice to absent members, as well as giving public notice, containing the information specified in subsection (a) of this section.
- c) Notice of a special meeting of the Quorum Court called by the County Judge at other than a meeting of the Quorum Court shall be accomplished by the County Judge notifying each Justice of the Peace individually, in writing if time permits, and giving due public notice, containing information specified in subsection (a) of this section.
- d) Notice of a special meeting of the Quorum Court, called by a majority of the Justices of the Peace, shall be accomplished by one member of the majority

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notifying the County Judge, in writing if time permits, who shall be responsible for notifying each Justice of the Peace individually, in writing if time permits, and giving due public notice, containing information specified in subsection (a) of this section.

- e) All special meetings of the Quorum Court or any of its committees shall be in conformance with the Arkansas Freedom of Information Act (A.C.A. § 14-14-904(c)).

7) EXECUTIVE SESSIONS.

- a) The Court may call an executive session upon a majority vote of the whole number of Justices comprising the Court. Executive sessions will be called only for the purpose of considering employment, appointment, promotion, demotion, disciplining, or resignation of any public officer or employee. The specific purpose of the executive session shall be announced in public before going into executive session.
- b) Only the person holding the top administrative position in the department or office involved, the immediate supervisor of the employee involved, and the employee may be present at the executive session when so requested by the Court.
- c) Any person being interviewed to fill a vacancy in a county office may be present at the executive session when so requested by the Court commission.
- d) Executive sessions will never be called for the purpose of defeating the reason or the spirit of this chapter.
- e) No resolution, Ordinance, rule, contract, regulation, or motion considered or arrived at in executive session will be legal unless, following the executive session, the Court reconvenes in public session and presents and votes on the resolution, Ordinance, rule, contract, regulation, or motion (A.C.A. § 25-19-106).

8) CANCELLATION OF MEETING. Any meetings of the Quorum Court may be cancelled as follows:

- a) Whenever there are no items placed on the meeting agenda by the time the agenda is closed, the County Clerk shall poll the members of the Quorum Court by phone to ascertain if the meeting should be cancelled. The County Clerk shall record the names of each of the Justices of the Peace voting for and against the cancellation of the meeting and this poll shall be read into the minutes of the next meeting of the Quorum Court. If a majority of the members of the Quorum Court vote to cancel the meeting, the County Clerk shall notify all members of the Court and the public of the cancellation.

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- b) On any other occasion any three Justices may request the Clerk of the Court to poll the members concerning the cancellation of a meeting. Upon receipt of such request, the Clerk shall make a record of the three members requesting the cancellation and will then poll the remaining members of the Quorum Court by phone and record their votes and notify the members of the Quorum Court of the results of that vote. If the meeting is cancelled, the Clerk shall notify all members of the Court and the public of the cancellation.
- 9) PUBLIC NOTIFICATION OF MEETINGS; NOTIFICATION OF MEETINGS OF COMMITTEES. The County Judge shall be responsible for giving the public notification required by the Arkansas Freedom of Information Act (A.C.A. § 25-19-101, et. seq) of regular and special meetings of the Quorum Court and committees thereof. Committee chairpersons shall give the County Judge notice of meetings of their committees in sufficient time for compliance with public notification of such meetings as required by state law.
- 10) ATTENDANCE AT MEETINGS BY COUNTY TREASURER.
- a) In addition to all other duties required by law, the County Treasurer shall attend, as requested, regular meetings of the Quorum Court for the purpose of responding to any questions which may arise concerning the financial statement required to be submitted monthly to the Quorum Court by the County Treasurer.
  - b) In addition to all other duties required by law, the County Treasurer shall attend any special meeting of the Quorum Court where such attendance is deemed necessary by members of the Quorum Court or the County Judge. Timely notice of such need for attendance shall be furnished the County Treasurer, giving the purpose for which attendance is required.
- 11) COMMITTEES.
- a) Definitions.
    - i) Wherever the term “standing committee” is used in this section, it shall mean a committee of the Quorum Court, constituted to perform in a continuing function, intended to remain in existence.
    - ii) Wherever the term “special committee” is used, it shall mean a committee of the Quorum Court constituted to complete a specified assignment to be dismissed upon completion of this task.
    - iii) Wherever the term “committee” or “committees” is used, it shall mean both standing and special committees of the Quorum Court.

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- b) Standing committees enumerated. There are hereby established the following standing committees of the Quorum Court:
- i) Finance committee
  - ii) Personnel and grievance committee
  - iii) County building committee
  - iv) Jail committee
  - v) Solid waste
- c) Composition. Each committee shall consist of not less than three, or more than five, members with the exception of the personnel and grievance committee, which shall consist of all members of the Quorum Court.
- d) Appointments. In accordance with A.C.A. § 14-14-904, the County Judge shall appoint all standing and special committees of the Quorum Court. The County Judge may consider seniority as a means of selecting committee members.
- e) Terms of members. The length of membership for each committee member shall coincide with Justice's term of office. The County Judge or his designated agent shall be an Ex-Officio member of each standing and special committee. The County Treasurer or his/her designated agent shall be an Ex-Officio member of the finance committee.
- f) Calling of meetings. Committees shall meet at the call of the chairperson, or any two committee members.
- g) Scheduling of meetings. Committees shall coordinate scheduling of meetings in order to allow attendance by any interested individual or Justice, at any single committee meeting. Committee meetings shall be coordinated through the administrative staff of the County Judge's office.
- h) Nature of meetings; notice. All committee meetings shall be open and public. Committees are authorized and encouraged to hold public hearings, where appropriate. Representatives of the media shall be given at least two hours' notice of all committee meetings.
- i) Reports. Each committee shall periodically report its progress, findings, and recommendations to the Quorum Court during regular or special meetings. The formal committee report in the regular or special session of the Quorum Court shall provide opportunity for both a majority and minority report, if and when such a situation exists.

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- j) Overlapping issues. If an issue, problem, or program is referred to a committee, which is deemed to be overlapping with another committee's responsibility, both committees shall be entitled to report findings and recommendations.
  
- k) Appointment of additional committees. The County Judge, in accordance with A.C.A. § 14-14-904 or other state law, may appoint other standing and special committees, which shall function in accordance with the procedures as set forth in this section.  
([Ord. 1977-001](#), passed 1-4-77; Am. [Ord. 1977-002](#), passed 1-4-77; Am. [Ord. 2001-001](#), passed 1-16-01; Am. [Ord. 2002-004](#), passed 2-4-02; Am. [Ord. 2003-001](#), passed 1-6-03; Am. [Ord. 2005-001](#), passed 1-3-05; Am. [Ord. 2007-001](#), passed 1-8-07; Am. [Ord. 2009-001](#), passed 1-5-09; Am. [Ord. 2011-001](#), passed 1-3-11)

**§ 200.01 JUROR PAY.**

- 1) LEGISLATIVE INTENT. Pursuant to the requirements of Act 1033 of 2007, codified as A.C.A. §§ 16-34-101, et seq, and in order to qualify for reimbursement from the State of Arkansas for a portion of said jury costs, the Columbia County Quorum Court hereby establishes the following minimum requirements necessary for compensation as jurors and corresponding rates of compensation for service as jurors or prospective jurors in Columbia County, Arkansas:
  - a) The person must have received official notice that he or she has been selected as a prospective juror and summoned to appear;
  - b) The person must actually appear at the location which they were summoned;
  - c) Their attendance must be noted in writing by the Circuit Clerk.
  
- 2) RATES OF COMPENSATION. The following rates of compensation are established for jury service in Columbia County, Arkansas:
  - a) Persons who are selected and seated as a member of the jury, including alternates, shall be compensated at the rate of \$50.00 per day;
  - b) Persons who are summoned and appear but who are not selected and seated as a member of the jury shall be compensated at the rate of \$15.00 per day; and
  - c) Persons summoned for jury service but who fail, for any reason, to attend court shall not be entitled to receive compensation.
  
- 3) STATE REIMBURSEMENT PROCEDURE AND RESPONSIBILITY ASSIGNMENT. Pursuant to A.C.A. § 16-34-106, the Circuit Clerk of Columbia County, Arkansas, shall be responsible for remitting, in a timely manner, all documentation required by the

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Administrative Office of the Courts in order to receive reimbursement for the jury cost incurred under A.C.A. § 16-34-103(b) and Section 2(a) of this Ordinance.

- 4) REPEALER. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed. If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or application of the Ordinance which can be given effect without the invalid provision or application and to this end the provisions of this Ordinance are declared severable.
- 5) DECLARE EMERGENCY. This Ordinance being necessary to provide for and protect the health, safety, and welfare of the citizens of Columbia County, Arkansas, and of their properties, an emergency is declared to exist.
- 6) EFFECTIVE DATE. This Ordinance is adopted to comply with the provisions of A.C.A. § 16-34-101, et seq and shall be effective as of January 1, 2008.  
([Ord. 1977-009](#), passed 1-12-77; Am. [Ord. 2007-020](#), passed 12-3-07)

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**Article II. COUNTY OFFICERS AND PERSONNEL**

**A.C.A. § 14-14-603. Offices included.**

- (a) Within the purposes of this chapter, the term “elective county office” shall mean any office created under the provisions of Arkansas Constitution, Article 7 §§ 19 and 46, as amended by Amendment 24, § 3.
  
- (b) The elective county offices established by these constitutional provisions are:
  - (1) One (1) sheriff who shall be ex officio collector of taxes, unless otherwise provided by law;
  - (2) One (1) collector of taxes, where established by law;
  - (3) One (1) assessor;
  - (4) One (1) coroner;
  - (5) One (1) treasurer, who shall be ex officio treasurer of the common school fund;
  - (6) One (1) surveyor;
  - (7) One (1) clerk of the circuit court, who shall be ex officio clerk of the county and probate courts and recorder, unless otherwise provided by law; and
  - (8) One (1) county clerk, where established by law.

**A.C.A. § 14-14-604. Elective county officers; exclusions.**

Offices expressly excluded from the provisions of this subchapter are:

- (1) The judge of the county court created pursuant to Arkansas Constitution, Article 7, § 28, such office being an “elective county office” but not deemed separable from the county court which serves as a principal element of county government and constitutional organization;
- (2) Justices of the peace who are deemed district offices; and
- (3) Constables who are deemed township offices and who are not within the provisions of Arkansas Constitution, Amendment 55 § 2, Part (b).

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**A.C.A. § 14-14-902. Quorum Court administration.**

(a) SECRETARIAT. (1) The secretariat of the county quorum court shall be the clerk of the county court of each county unless otherwise provided by county ordinance.

(2) ALTERNATIVE DESIGNATION. A quorum court, by ordinance, may provide for the establishment of minimum qualifications and an appropriation for the employment of a secretariat of the court. The employee so designated shall be a staff member of the county clerk or the county judge as may be specified by the ordinance. Where the separate position of secretariat is created by ordinance, all legislative duties prescribed in this chapter for a county clerk shall thereafter become the duties of the secretariat.

(3) DUTIES OF THE COUNTY CLERK. Unless otherwise provided for by county ordinance, the clerk or the deputy clerk shall:

(A) Attend all regular and special meetings of the court;

(B) Perform all administrative and recordkeeping duties prescribed in this chapter; and

(C) Perform all other duties as may be required by the quorum court through county ordinance.

(b) COUNSEL. (1) LEGAL COUNSEL. The prosecuting attorney or his deputy serving each county shall serve as legal counsel of the quorum court unless otherwise provided by county ordinance.

(2) ALTERNATIVE DESIGNATION OF LEGAL COUNSEL. A quorum court may, by ordinance, provide for the appropriation of county funds for the employment of legal counsel to serve the court.

(3) DUTIES OF LEGAL COUNSEL. The legal counsel of a quorum court shall:

(A) Attend all regular and special meetings of the court;

(B) Perform all duties prescribed in this chapter; and

(C) Perform all other duties as may be required by a quorum court.

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(c) OTHER ADMINISTRATIVE SERVICES. A quorum court may authorize and provide through ordinance, for the employment of any additional staff or the purchase of technical services in support of legislative affairs.

**A.C.A. § 14-14-1202(a). Ethics for county government officers and employees.**

(a) PUBLIC TRUST. (1) The holding of public office or employment is a public trust created by the confidence which the electorate reposes in the integrity of officers and employees of county government.

(2) An officer or employee shall carry out all duties assigned by law for the benefit of the people of the county.

(3) The officer or employee may not use his or her office, the influence created by his or her official position, or information gained by virtue of his or her position to advance his or her individual personal economic interest or that of an immediate member of his family or an associate, other than advancing strictly incidental benefits as may accrue to any of them from the enactment or administration of law affecting the public generally.

**A.C.A. § 16-13-709(a)(1)(A)(i), (a)(1)(B)(i). Responsibility for collection.**

(a)(1)(A)(i) The quorum court of each county of the state shall designate a county official, agency, or department, which shall be primarily responsible for the collection of fines assessed in the circuit courts of this state.

. . .

(a)(1)(B)(i) The quorum court may delegate the responsibility for the collection of delinquent fines assessed in circuit court to a private contractor.

. . .

**A.C.A. §§ 25-19-101-110. Freedom of Information Act.**

**Section**

210.00 Designation of fine collection responsibility.

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**§ 210.00 DESIGNATION OF FINE COLLECTION RESPONSIBILITY.**

- 1) That the Columbia County Sheriff is hereby designated the County official primarily responsible for the collection of fines assessed upon defendants in the Circuit and Chancery Courts of Columbia County, Arkansas.
  
- 2) EMERGENCY CLAUSE. That an effective date of January 1, 1996, for such designation is necessary in order for Columbia County to comply with the requirements of state law and to likewise protect and assure the orderly collection of court fines and to preserve and maintain the integrity of the financial affairs of the County; accordingly, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after January 1, 1996.  
([Ord. 1995-017](#), passed 12-11-95)

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**Article III. COUNTY ORGANIZATIONS**

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

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 officer:

- (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.

**A.C.A. § 14-14-705(1)(A), (2)(A). County advisory or administrative boards.**

A county quorum court, by ordinance, may establish county advisory or administrative boards for the conduct of county affairs.

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- (1) **ADVISORY BOARDS.** (A) An advisory board may be established to assist a county office, department, or subordinate service district. The advisory board may furnish advice, gather information, make recommendations, and perform other activities as may be prescribed by ordinance. A county advisory board shall not have the power to administer programs or set policy.
- (2) **ADMINISTRATIVE BOARDS.** (A) Administrative boards may be established to exercise administrative powers granted by county ordinance, except that the board may not be authorized to pledge the credit of the county. The administrative board shall be a body politic and corporate, with power to contract and be contracted with and sue and be sued. As to actions of tort, the board shall be considered as an agency of the county government and occupy the same status as a county. No board member shall be liable in a court individually for an act performed by him as a board member unless the damages caused thereby were the results of the board member's malicious acts.

**A.C.A. §§ 14-169-201-240. Housing Authorities Act.**

**A.C.A. §§ 14-169-301-319. Regional Housing Authorities.**

**A.C.A. §§ 14-137-101-123. Public Facilities Boards Act.**

**Section**

220.00 Columbia County Depository Board.

220.01 Rural Development Authority.

220.02 County Free Library Administrative Board.

220.03 Dorcheat Public Facilities Board.

220.04 McNeil Public Facilities Board.

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**§ 220.00 COLUMBIA COUNTY DEPOSITORY BOARD.**

- 1) That Columbia County, Arkansas, Quorum Court hereby ordains that a County Depository Board consisting of the County Judge, Tax Collector, and Treasurer is established. 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. The Board may also require officials to settle with the County Treasurer more frequently than required by Arkansas Law.
- 2) The County Depository Board is required to make timely investment of public funds in order to earn optimum interest consistent with the prudent man rule for investments.
- 3) The County Depository Board shall require the collateralization for the deposit or investment of public funds for amounts not fully insured directly by the United States of America. The members of the County Depository Board shall use their sense of awareness of the financial condition of depository institutions being considered for deposits and they may require as a condition for placing deposits or keeping funds on deposit such financial data as they need so as to make an informed decision including but not limited to quarterly financial statements, quarterly profit and loss statements, and tangible net worth (capital) to assets ratios.
- 4) Within ten (10) days following the annual meeting of the County Depository Board, it shall furnish to each member of the Quorum Court and to the County Clerk for inclusion in the permanent records of the County a copy of the minutes of its meeting as prescribed by Act 21 of 1935 (A. S. A. § 13-803).  
([Ord. 1987-007](#), passed 10-13-87)

**§ 220.01 RURAL DEVELOPMENT AUTHORITY.**

- 1) NEED. There is hereby declared a need for the creation and appointment of a Rural Development Authority in Columbia County, Arkansas, to develop and maintain a lake project.
- 2) REQUIREMENT AND RESTRICTIONS. The Rural Development Authority shall be subject to those restrictions and requirements set out in Amended Ordinance 1983-001, which is incorporated by reference herein as if set out word for word.
- 3) REPEALER CLAUSE. All ordinances, resolutions, and rules dealing with, regulating, creating, or otherwise affecting a Rural Development Authority in Columbia County which precedes the date of January 1, 1983, are hereby repealed.
- 4) EMERGENCY CLAUSE. The Quorum Court of Columbia County, Arkansas, has determined that there is an immediate need to create and authorize the Rural Development Authority

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in Columbia County to develop and maintain the lake project and that such authority should be created to oversee funds expected from the Sales and Use Tax which should be collected beginning October 1, 1983, and that this Ordinance is necessary for the immediate creation and authorization for such authority and in order to preserve the health, safety, and welfare of the citizens of Columbia County, Arkansas, shall become law immediately upon its passage, approval, and publication.

[\(Ord. 1983-003](#), passed 9-20-83)

**§ 220.02 COUNTY FREE LIBRARY ADMINISTRATIVE BOARD.**

- 1) The Quorum Courts of the several counties have been empowered by Act No. 742 of 1977 as passed by the Arkansas Legislature with power and authority to establish, maintain, and operate County Free Libraries in the manner and with the functions prescribed in an Ordinance, and Counties may appropriate money for said purposes.
- 2) The County Free Libraries under this Ordinance shall be under the control of an Administrative Board as defined in Act 742 of 1977. Such Board shall have all the powers, rights, and protection as provided in Act 742 of 1977, which shall include but not be limited to the power and authority to establish, maintain, and operate County Free Libraries in a manner consistent with all acts passed by the Arkansas State Legislature.
  - a) The Board shall be composed of six (6) members as has already been approved by the County Court; however, this number shall be reduced to five (5) upon the expiration of the first expiration of a term of a retiring member of the Board.
  - b) Therefore, the members of said Board shall serve for a period of five (5) years; provided, however, that the initial appointment of Administrative Board shall be for the following periods:
    - i) One Board Member for a one year term;
    - ii) One Board Member for a two year term;
    - iii) One Board Member for a three year term;
    - iv) One Board Member for a four year term;
    - v) One Board Member for a five year term;

And further the County Judge upon confirmation by the Quorum Court of this County shall be vested with the authority to appoint one member for a five (5) year term each year thereafter.

- c) No Board Member shall be appointed for more than two consecutive terms.

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- d) All persons appointed to the Board shall be a qualified elector of the County.
  - e) The Administrative Board shall have full charge of the County Library Systems established hereunder and shall elect a County Librarian.
- 3) No person shall be appointed to the office of County Librarian unless prior to appointment he shall have received from the State Library Board a certificate of qualification for the office, which must be filed with the County Clerk before any salary claims may be honored. The County Librarian shall conduct the library according to the approved County Library methods, and shall attend all State Library Association Meetings.
- 4) The County Library Board is authorized and empowered to receive on behalf of the County, any gifts, bequest or devise for the County Free Library or any branch or subdivision thereof, and shall use and administer such gifts in accordance with the terms imposed thereon. The title to all property belonging to the County Free Library shall be vested in the County.
- 5) The County Library Board shall have authority to enter into contract with municipalities having library facilities approved by the Arkansas Library Commission, whereby free County library service may be rendered throughout the County, and the expenses of maintaining such joint municipal and County library service, shall be apportioned in such a manner as may be jointly agreed upon by the municipal authorities and the County Library Board. The librarian of such library must hold county library certificate. Said Board shall have the authority to take over municipal library property upon proper action by municipal authorities and any municipality of this state may make its library facilities a part of the County Free Library system by appropriate action. (As amended by Act 300 Section 3, 1951).
- 6) Two or more adjacent Counties may, by proper order of the County courts, enter into agreements for joint free library service under the terms of this Ordinance. In such cases, the affairs of the joint library system shall be administered by agreements of the Boards in the respective counties and the property to be used jointly by said counties shall not be withdrawn except in accordance with the terms of such agreements as may be entered into with the consent of the other counties.
- 7) The expenses of conducting such joint library service may be apportioned by agreement and all claims arising out of the joint library agreement shall constitute valid claims against the respective counties to be acted upon as herein provided for, in the case of a single county free library service.

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- 8) In case any section of this Ordinance or any provisions therein shall be found to be unconstitutional or invalid for any reason, the same shall in no way affect the remaining sections and provisions.
- 9) The Board shall be entitled to receive all tax monies established under the Federal, State, and local laws as existing at the time of this Ordinance and as may be amended or added to thereafter. This Quorum Court shall have the power if it deems necessary to add such further monies as it has the power under the law to do and if it so chooses to act. Any present board rights to any and all public or private funds, monies, taxes, personal property, real or mixed property, and all public and private funds, monies, taxes, property (be it real, personal, mixed) shall immediately vest upon the enactment of this Ordinance under the control of this new Board under the terms held by the present Board; and all additional public or private funds, monies, personal property, real property, or mixed property shall be administered as provided by this Ordinance ([Ord. 1978-001](#), passed 4-3-78).

**§ 220.03 DORCHEAT PUBLIC FACILITIES BOARD.**

- 1) In accordance with and pursuant to the authority conferred by the provision of the Act, there is thereby created and established a public facilities board (the “Board”) with 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 “Dorcheat Community Waterworks Facilities Board of Columbia County.”
- 3) The initial members of the Board, each of whom is a qualified elector residing in the County, and their respective terms of office shall be:

<u>Member</u>	<u>Term</u>
George Quick, President	5 years
Evelyn Hardy	4 years
Elmore Lewis	3 years
John Lewis	2 years
Jerry Willis	1 year

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.

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- 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 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 A.C.A. § 25-19-101—107, inclusive, as amended.
- 7) SEVERABILITY CLAUSE. The provisions of this Ordinance are severable. If any provisions thereof shall be held to be invalid or inapplicable to any person or circumstances, such holding shall not affect the validity or applicability of the remainder of the provisions hereof.
- 8) REPEALER. All Ordinances of the County or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
- 9) EMERGENCY CLAUSE ANDEFFECTIVE DATE. It is hereby found and determined that there is an immediate need for the providing of adequate waterworks facilities, within Columbia County, Arkansas, authorized to be provided under the Act, and providing financial assistance to encourage the development and establishment of such waterworks facilities projects, and that the creation of the Board and the exercise of the duties and powers provided in this Ordinance are necessary for the preservation of the public peace, health, and safety. Therefore, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.  
([Ord. 1999-029](#), passed 9-13-99)

**§ 220.04 MCNEIL PUBLIC FACILITIES BOARD.**

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

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- 2) The name of the board shall be “McNeil Rural Waterworks Facilities Board of Columbia County.”
- 3) The initial members of the Board, each of whom is a qualified elector residing in the County, and their respective terms of office shall be:

<u>Member</u>	<u>Term</u>
Louise Monk, President	5 years
Paul McLendon	4 years
James Spradlin	3 years
Willie Johnson	2 years
Claudell Woods	1 year

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 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 A.C.A. § 25-19-101—107, inclusive, as amended.
- 7) SEVERABILITY CLAUSE. The provisions of this Ordinance are severable. If any provisions thereof shall be held to be invalid or inapplicable to any person or circumstances, such holding shall not affect the validity or applicability of the remainder of the provisions hereof.

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- 8) REPEALER. All ordinances of the County or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
- 9) EMERGENCY CLAUSE ANDEFFECTIVE DATE. It is hereby found and determined that there is an immediate need for the providing of adequate waterworks facilities, within Columbia County, Arkansas, authorized to be provided under the Act, and providing of financial assistance to encourage the development and establishment of such waterworks facilities projects, and that the creation of the Board and the exercise of the duties and powers provided in this Ordinance are necessary for the preservation of the public peace, health, and safety. Therefore, an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.  
[\(Ord. 1999-026](#), passed 7-12-99)

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**Article IV. COUNTY POLICIES.**

**Section**

*General Policies*

230.00 Interlocal and mutual aid agreement designating the Columbia County criminal detention facility as the 9-1-1 public safety communications center.

*Employee / Employment Policies*

240.00 Reimbursement of certain expenses to County Board Members.

240.01 Reimbursement of certain expenses to County officials and employees.

*Purchasing Policies*

Reserved.

*General Policies*

**§ 230.00 INTERLOCAL AND MUTUAL AID AGREEMENT DESIGNATING THE COLUMBIA COUNTY CRIMINAL DETENTION FACILITY AS THE 9-1-1 PUBLIC SAFETY COMMUNICATIONS CENTER.**

- 1) The County Judge is hereby authorized and directed to execute an Interlocal Agreement with the City of Magnolia and the City of Waldo, in substantially identical form to that attached hereto as "Exhibit A."
- 2) The 2001 Interlocal Agreement made and entered into by and between the City of Magnolia, Arkansas, and Columbia County, Arkansas, on November 5, 2001, and filed of record on November 6, 2001, in the records of the County Clerk of Columbia County, Arkansas, is hereby terminated in its entirety.
- 3) EMERGENCY CLAUSE. It is hereby ascertained and declared that shared funding of the 9-1-1 multi-jurisdictional public safety answering point between Columbia County, the City of Magnolia, and the City of Waldo is necessary and desirable to establish an adequate source of funds to finance the operation of the same in order to promote and protect the health, safety, and welfare of the County and its inhabitants. It is therefore declared that an emergency exists and this Ordinance being necessary for the immediate preservation of public peace, health, and safety shall be in full force and effect immediately from and after its passage.

([Ord. 2012-027](#), passed 12-13-12)

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*Employee / Employment Policies*

**§ 240.00 REIMBURSEMENT OF CERTAIN EXPENSES TO COUNTY BOARD MEMBERS.**

- 1) County Election Commissioners shall be reimbursed for services as follows:
  - a) \$100.00 Election Day;
  - b) \$50.00 per public meeting with a maximum of 14 meetings during an election year (which includes 2 training meetings);
  - c) \$25.00 per public meeting with a maximum of 9 meeting during a non-primary & general election year.

A public meeting is as defined under the Arkansas Freedom of Information Act.

The County Board of Election Commissioners must keep minutes of all meetings when official business is conducted and must file the minutes with the County Clerk, in accordance with A.C.A. § 7-4-105(b).

The County Board shall not receive compensation for election duties after the election until the election results have been certified and delivered to the Secretary of State, in accordance with A.C.A. § 7-5-701 (c)(2).

- 2) County Equalization Board Members shall be reimbursed for services as follows:
  - a) \$50.00 per day

All compensation, together with expenses necessarily incurred by reason of official action of the Board, shall be audited and paid by the County as other claims against the County are audited and paid, in accordance with A.C.A. § 26-27-308(b).

- 3) Columbia County will reimburse for mileage with proper documentation and in accordance with Columbia County Ordinance 2005-013.
- 4) REPEALER. Any ordinances in conflict herewith are hereby repealed to the extent of the conflict.  
([Ord. 2011-016](#), passed 8-1-11)

**§ 240.01 REIMBURSEMENT OF CERTAIN EXPENSES TO COUNTY OFFICIALS AND EMPLOYEES.**

- 1) Expenses incurred by County Official(s) and/or County employee(s) shall be reimbursable as provided by A.C.A. § 14-14-1207. Reimbursement for use of a privately-owned motor vehicle in the conduct of County affairs shall be paid at the rate established

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by the state, which currently is thirty-four cents (\$0.34) per mile and will be paid by map miles.

- 2) Expenses incurred for meals will be reimbursed at a daily maximum of thirty dollars (\$30.00) and will require all receipts and agenda or documentation of dates and purpose of the trip, as well as the name(s) of official(s) and/or employee(s) attending and eating.
- 3) REPEALER. Any ordinances in conflict herewith are hereby repealed to the extent of the conflict.  
([Ord. 2005-013](#), passed 4-11-05)

**§ 240.02 EMPLOYMENT POLICY.**

- 1) The Personnel Policy Manual adopted by the Quorum Court pursuant to Ordinance 1993-009 is hereby amended by substituting therefor in its entirety that document styled “Columbia County Personnel Policy” which is attached hereto for reference purposes only.
- 2) Notwithstanding the date of passage hereof, the provisions of the “Columbia County Personnel Policy” adopted hereby shall be in full force from and after January 1, 1996.
- 3) A copy of the “Columbia County Personnel Policy” shall be kept and maintained by the County Clerk of Columbia County at the office of the County Clerk, and the same shall be available for public review and inspection.
- 4) Any future amendments or modifications to said “Columbia County Personnel Policy” shall be made by ordinance, with all such amendments or modifications to be documented by the County Clerk, who shall likewise be responsible for updating said “Columbia County Personnel Policy” to reflect any or all such amendments or modifications, including the effective date of any such amendments or modifications.
- 5) Every county employee shall be provided a copy of said “Columbia County Personnel Policy”, and all such employees shall acknowledge, in writing, that they have received a copy of the policy and that they agree to the terms and provisions of said policy as a condition of continued employment with the County.
- 6) EMERGENCY CLAUSE. This Ordinance and the amendments to the written employment policy of Columbia County provided hereby are found by the Quorum Court to be immediately necessary in order to provide for the efficient operation of county government and to protect the health, safety and welfare of the citizens of Columbia County; accordingly, an emergency is hereby declared to exist and this Ordinance shall

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be effective immediately upon its passage, approval and publication.

([Ord. 1993-009](#), passed 10-4-1993; Am. [Ord. 1995-016](#), passed 11-6-1995; Am. [Ord. 1996-001](#), passed 1-8-1996; Am. [Ord. 1996-008](#), passed 5-6-1996; Am. [Ord. 1997-009](#), passed 6-10-1997; Am. [Ord. 1999-028](#), passed 8-2-1999; Am. [Ord. 2001-015](#), passed 4-9-2001; Am. [Ord. 2001-035](#), passed 9-13-2001; Am. [Ord. 2005-010](#), passed 4-11-2005; Am. [Ord. 2009-019](#), passed 9-8-2009)

***Purchasing Policies***

Reserved.

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**Article V.    EMERGENCIES: PLANS, SYSTEMS AND FEES**

**A.C.A. § 14-14-1107. Natural disasters.**

In any county in which a natural disaster, including but not limited to a tornado or flood, results in the county being declared a disaster area by the Governor, an appropriate official of the United States Government, or the county judge of the county, is authorized to use county labor and equipment on private property to provide services which are required as a result of the natural disaster.

**A.C.A. §§ 12-75-101-133. Arkansas Emergency Services Act of 1973.**

**Section**

*General*

260.00 Interlocal agreement for joint funding of operating expenses for 9-1-1 central dispatch services with the City of Magnolia.

260.01 9-1-1 service charge of 5% of the basic tariff rate.

260.02 Special election for implementation and funding of 9-1-1 telephone system.

*Flooding*

270.00 Flood Damage Prevention Program.

*General*

Reserved.

**§ 260.00 INTERLOCAL AGREEMENT FOR JOINT FUNDING OF OPERATING EXPENSES FOR 9-1-1 CENTRAL DISPATCH SERVICES WITH THE CITY OF MAGNOLIA.**

- 1) The County Judge is hereby authorized and directed to execute an Interlocal Agreement with the City of Magnolia, in substantially identical form to that attached hereto as "Exhibit A," providing for the joint funding of operating expenses for 9-1-1 central dispatch services.

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- 2) EMERGENCY CLAUSE. It is hereby ascertained and declared that joint funding of 9-1-1 central dispatch services by the City of Magnolia and Columbia County is necessary and desirable to establish an adequate source of funds to finance the operation of the same, in order to promote and protect the health, safety, and welfare of the County and its inhabitants. It is therefore declared that an emergency exists and this Ordinance being necessary for the immediate preservation of public peace, health, and safety shall be in force and take effect immediately from and after its passage.  
([Ord. 2001-040](#), passed 11-5-01)

**§ 260.01 9-1-1 SERVICE CHARGE OF 5% OF THE BASIC TARIFF RATE.**

- 1) A five percent (5%) service charge shall be levied on the basic tariff rate approved by the Arkansas PSC on access lines of the system limited to Exchanges 234, 235, 547, 596, 693, 694, 695, and 696.
- 2) Said 5% service charge shall begin to be collected May 1, 1987, or sooner if possible.
- 3) Said service charge shall be collected by the various telephone companies servicing the Columbia County area and shall be subject to the appropriate administrative fee as outlined by state statute.
- 4) Said service charge shall be turned over to the Columbia County Treasurer on a quarterly basis, less administrative fee.
- 5) EMERGENCY CLAUSE. The Quorum Court for the County of Columbia, Arkansas, has determined that there is a great need to establish a county-wide emergency dispatch and, to comply with Arkansas election laws, an emergency is hereby declared and this Ordinance shall be in full force after its passage.  
([Ord. 1987-003](#), passed 4-6-87)

**§ 260.02 SPECIAL ELECTION FOR IMPLEMENTATION AND FUNDING OF 9-1-1 TELEPHONE SYSTEM.**

- 1) That there be, and there is hereby called, a special election to be held on March 24, 1987, at which election there shall be submitted to the electors of the County the question of funding the implementation of a 9-1-1 emergency services telephone system and establishment of a Public Safety Communications Center pursuant to Act 683 of 1985.
- 2) That the question of approving or rejecting an Ordinance to fund implementation of a 9-1-1 emergency telephone service system within Columbia County shall be placed on the ballot for the election in substantially the following form:

**PROPOSED 9-1-1 EMERGENCY TELEPHONE SYSTEM**

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AUTHORIZATION OF A 5% OF RATE TARIFF SERVICE  
CHARGE FOR FUNDING THE IMPLEMENTATION OF A 9-1-1  
EMERGENCY TELEPHONE SYSTEM

The funding and implementation of a 9-1-1 emergency telephone service system for Columbia County, which system shall be funded from revenues generated by a charge of up to five percent (5%) of the basic telephone tariff approved by the Arkansas Public Service Commission and to authorize the County Judge and County Sheriff to implement the 9-1-1 system with the funds received from the service charge.

Vote on the measure by placing an "X" in the square opposite the measure either for or against.

FOR the implementation of a 9-1-1 emergency telephone system and Public Safety Communications Center within Columbia County to be funded by a charge of up to five percent (5%) of the basic telephone tariff approved by the Arkansas Public Service Commission .....

AGAINST the implementation of a 9-1-1 emergency telephone system and Public Safety Communications Center within Columbia County to be funded by a charge of up to five percent (5%) of the basic telephone tariff approved by the Arkansas Public Service Commission .....

- 3) That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for County elections and only qualified voters of the County shall have the right to vote at the election.
- 4) That a copy of this Ordinance shall be given to the Columbia County Board of Election Commissioners so that the necessary election officials and supplies may be provided.
- 5) That the County Judge and County Clerk, for and on behalf of the County, be, and they are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided.
- 6) REPEALER. That all ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
- 7) EMERGENCY CLAUSE. It is hereby ascertained and declared that there is an immediate need for the establishment of a 9-1-1 emergency telephone system in order to promote and protect the health, safety, and welfare of the citizens of the County, and that such

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system can be accomplished only by approval of the electors at a special election. It is therefore, declared that an emergency exists and this Ordinance being necessary for the immediate preservation of public peace, health, and safety shall be in force and take effect immediately from and after its passage.

([Ord. 1987-002](#), passed 2-18-87)

***Flooding***

**§ 270.00 FLOOD DAMAGE PREVENTION PROGRAM.**

- 1) STATUTORY AUTHORITY. The Legislature of the State of Arkansas has in A.C.A. § 14-268-101, et seq., delegated the responsibility of local governmental units to adopt regulations to minimize flood losses. Therefore, the Quorum Court of Columbia County, Arkansas, does hereby ordain as follows:
- 2) FINDINGS OF FACT.
  - a) The Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of Columbia County in the current scientific and engineering report entitled “The Flood Insurance Study (FIS) for Columbia County, Arkansas, and Incorporated Areas,” dated October 17, 2006, with an effective Flood Insurance Rate Map (FIRM) dated October 17, 2006.
  - b) These Special Flood Hazard Areas are subject to periodic flooding events that result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.
  - c) These periodic flooding events are exacerbated by the cumulative effect of floodplain developments, which cause an increase in flood heights and velocities, and by the placement of inadequately elevated, inadequately flood-proofed or otherwise unprotected structures or uses vulnerable to floods into Special Flood Hazard Areas. Such structures or uses are inherently hazardous to other lands because of their adverse impact on flooding events.
- 3) STATEMENT OF PURPOSE. The purpose of this Ordinance is to promote the public health, safety, and general welfare, to prevent adverse impacts from any floodplain development activities, and to minimize public and private losses due to flowing events in identified Special Flood Hazard Areas. This Ordinance advances the stated purpose through provisions designed to:
  - a) Protect human life and health;

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- b) Protect natural floodplains against unwise development;
  - c) Eliminate adverse impacts of necessary floodplain development;
  - d) Minimize expenditure of public monies on flood control projects;
  - e) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
  - f) Minimize prolonged business interruptions due to flooding events;
  - g) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, and streets and bridges located in Special Flood Hazard Areas;
  - h) Minimize future flood blight areas to help maintain a stable tax base; and
  - i) Provide for notice to potential buyers when property is in a Special Flood Hazard Areas.
- 4) LANDS TO WHICH THIS ORDINANCE APPLIES. The Ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of Columbia County.
- 5) METHODS OF REDUCING FLOOD LOSSES. This Ordinance uses the following methods to accomplish the stated purpose:
- a) This Ordinance restricts or prohibits structures or uses in Special Flood Hazard Areas that adversely impact health, safety, or property during flood events;
  - b) This Ordinance requires protection against flood damages for structures or uses vulnerable to floods at the time of initial construction, or after substantial improvement of the structure, or after substantial damage has occurred;
  - c) This Ordinance controls the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation and transport of flood waters;
  - d) This Ordinance controls floodplain development (structural development, placement of manufactured structures, clearing, grading, mining, drilling, dredging, placement of fill, excavating, watercourse alteration, drainage improvements, roadway or bridge construction, individual water or sewer installations, and other activities) which may increase flood damage by increasing flood elevations, flood water velocities, or flood discharge patterns;
  - e) This Ordinance regulates the construction of flood barriers which unnaturally divert floodwaters or which may adversely impact other lands.

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- 6) FLOOD DAMAGE PREVENTION CODE ADOPTED BY REFERENCE. There is hereby adopted by reference a "Flood Damage Prevention Code for Columbia County, Arkansas," dated August 14, 2006. The code shall include:
- a) Article 1: Definitions
  - b) Article 2: Administration
  - c) Article 3: Provisions for Flood Hazard Reduction

A copy of the referenced code shall be filed in the office of the County Clerk and shall be available for inspection and copying by any person during normal office hours.

- 7) ABROGATION AND GREATER RESTRICTIONS. This Ordinance does not repeal, abrogate, or impair any existing easements, covenants, or deed restrictions, whenever there is a conflict or overlap between this Ordinance and another Ordinance, easement, covenant, or deed restriction, the instrument with the more stringent restrictions applies.
- 8) INTERPRETATION. In the interpretation and application of this Ordinance, all provisions must:
- a) Be considered as minimum requirements;
  - b) Be liberally construed in favor of the governing body; and
  - c) Be deemed to neither limit nor repeal any other powers granted under State statutes.
- 9) WARNING AND DISCLAIMER OF LIABILITY. The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes. Documented scientific and engineering data form the basis for these requirements. On rare occasions, flooding events greater than those considered for this Ordinance will occur. In addition, flood heights may increase over time due to man-made or natural causes. This Ordinance does not imply that land outside Special Flood Hazard Areas will be free from flooding, nor that strict adherence to this Ordinance protects uses permitted within Special Flood Hazard Areas from all flood damages. This Ordinance specifically does not create liability on the part of the community, nor any official or employee of the community, for any flood damages that result while strictly following this Ordinance, or from any lawful administrative decision made under the provisions of this Ordinance.
- 10) COMPLIANCE. Constructing, locating, substantially altering, or changing the use of any structure or land after the effective date of this Ordinance requires full compliance with the provisions of this Ordinance and all other applicable regulations.

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11) PENALTY FOR NON-COMPLIANCE. Flood hazards are reduced by compliance with the provisions of this code. Accordingly, enforcement of this Ordinance discourages non-compliance and is a recognized mechanism for flood hazard reduction.

a) The Floodplain Administration must enforce the provisions of this Ordinance and is authorized to:

- i) Issue cease and desist orders on non-compliant floodplain development projects;
- ii) Issue citations for non-compliance;
- iii) Request that FEMA file a 1310 Action (Denial of Flood Insurance) against non-compliant properties; and
- iv) Take any other lawful action necessary to prevent or remedy any instance of non-compliance within the provisions of this Ordinance.

1. It is a misdemeanor to violate or fail to comply with any provision of this Ordinance.
2. Any person found, in a court of competent jurisdiction, guilty of violating this Ordinance is subject to fines of not more than \$500 per day for each violation; in addition, the defendant is subject to payment of all associated court costs and costs involved in the case.

12) SEVERABILITY CLAUSE. If any court of competent jurisdiction finds that any section, clause, sentence, or phrase of this Ordinance is invalid or unconstitutional, that finding in no way affects the validity of the remaining portions of this Ordinance.

13) EMERGENCY CLAUSE AND EFFECTIVE DATE. It is hereby found and declared by Columbia County that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this Ordinance become effective on October 17, 2006. Therefore, an emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

([Ord. 1990-002](#), passed 7-2-90; Am. [Ord. 2006-020](#), passed 8-14-06)

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**Article VI. COUNTY FUNDS AND FEES**

**Section**

280.00 Maximum amount for the Drug Enforcement Fund.

280.01 Deposit of fine money collected from Circuit Court drug convictions into Adult Drug Court Fund.

280.02 Columbia County Jail Fund.

280.03 Sheriff's Special Equipment Fund.

**§ 280.00    MAXIMUM AMOUNT FOR THE DRUG ENFORCEMENT FUND.**

- 1) The purpose of this Ordinance is to set the maximum amount for the Drug Enforcement Fund (Buy Fund) as authorized by A.C.A. § 14-21-201.
- 2) The Quorum Court hereby sets a maximum amount for the fund, not to exceed ten thousand dollars (\$10,000.00).
- 3) EMERGENCY CLAUSE. This Ordinance being necessary to provide for and protect the health, safety, and welfare of the citizens of Columbia County, Arkansas, and their properties, an emergency is declared to exist and this Ordinance shall be in full force and effect immediately upon its adoption.  
[\(Ord. 2011-020](#), passed 9-6-11)

**§ 280.01    DEPOSIT OF FINE MONEY COLLECTED FROM CIRCUIT COURT DRUG CONVICTIONS INTO ADULT DRUG COURT FUND.**

- 1) There is a present need in Columbia County to increase law enforcement efforts against illegal drug trafficking and to increase efforts to rehabilitate persons abusing or addicted to controlled substances.
- 2) The Columbia County Sheriff's Department is in need of additional funds to be utilized in law enforcement's efforts to apprehend and convict persons who distribute controlled substances illegally.
- 3) The Columbia County Adult Drug Court needs additional funds to be utilized in its efforts to rehabilitate persons abusing or addicted to controlled substances.
- 4) With the exception of drug forfeitures, no funding presently exists from Columbia County revenues which are appropriated to the Columbia County Drug Control Fund.

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- 5) With the exception of Drug Court participant fees, no funding presently exists from Columbia County revenues which are appropriated to the Columbia County Adult Drug Court Fund.
  
- 6) One-third (1/3) of all fines collected from felony Circuit Court criminal convictions arising from violations of the Arkansas Uniform Controlled Substances Act shall be deposited into the Columbia County Adult Drug Court Fund to be administered by the Columbia County Treasurer and appropriated for the use by the Columbia County Adult Drug Court for any purpose consistent with the goals and objectives of the Arkansas State Drug Court Programs including, but not limited to, the training of staff, rehabilitation services, and treatment programs.  
([Ord. 2008-012](#), passed 6-12-08)

**§ 280.02 COLUMBIA COUNTY JAIL FUND.**

- 1) The Columbia County Treasurer is hereby authorized to deposit probation fees and public service work supervisory fees assessed and imposed for criminal convictions by the District Court of Columbia County into the Columbia County Jail Fund to be used to offset the expenses associated with the supervision and tracking of payment of such fees.
  
- 2) EMERGENCY CLAUSE. This Ordinance is necessary to insure the continued administration of justice within Columbia County for the year 2003 and future years. Therefore, an emergency is declared to exist and this Ordinance being immediately necessary for the preservation of the public peace, health, and safety shall become effective immediately upon passage by the Quorum Court and approval by the County Judge.  
([Ord. 2002-025](#), passed 12-16-02)

**§ 280.03 SHERIFF'S SPECIAL EQUIPMENT FUND.**

- 1) There is hereby created and established on the books of the Treasurer of Columbia County, Arkansas, and on the books of the County Clerk of Columbia County, Arkansas, a special revenue fund to be known as the "Sheriff's Special Equipment Fund." The line item for this fund shall be 3405.0400.
  
- 2) All monies collected as profits from the Sheriff's commissary account at the Columbia County Justice and Criminal Detention Facility and deposited into the County Treasury as special revenue shall be credited to the Sheriff's Special Equipment Fund and distributed as authorized by law.
  
- 3) The fund shall be used by the Sheriff's Department to satisfy necessary and desirable special equipment needs of the Sheriff's Department for which funding is not otherwise available.

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- 4) EMERGENCY CLAUSE. This Ordinance, being necessary to provide for and protect the health, safety, and welfare of the citizens of Columbia County, Arkansas, and of their properties, an emergency is declared to exist and this Ordinance shall be in full force and effect immediately upon its passage and approval by the County Judge.  
([Ord. 2013-029](#), passed 12-19-13)

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