

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.

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(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.

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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 Regular meeting; time and place.
- 200.01 Special meetings; manner of calling.
- 200.02 Fees to be paid to Quorum Court members for attending any official, regular, special or committee meetings.
- 200.03 Juror service; rate of pay.

§ 200.00 REGULAR MEETING; TIME AND PLACE.

- 1) The regular meeting of the Grant County Quorum Court will be held the third Monday of each month. The meeting will be in the Courtroom at the Grant County Courthouse at 7:00 p.m. or at such other location that is designated by the Quorum Court at the regular scheduled meeting of the preceding month.
- 2) Act 130 of 1975 requires the County Quorum Court to meet monthly at a time and place specified by 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. 1977-002](#), passed 01-03-1977; Am. [Ord. 1987-001](#), passed 02-16-1987; Am. [Ord. 1997-001](#), passed 01-20-1997)

§ 200.01 SPECIAL MEETINGS; MANNER OF CALLING.

- 1) The County Judge or a majority of the elected Justices of the Peace may call special meetings upon a least twenty-four (24) hours' notice.
- 2) Such notice shall include time, date and place of the special meetings. The notice shall also include the general purpose of the meeting; however, this does not preclude the Quorum Court from acting on, or considering other matters which may appropriately come before the body at such special meeting.
- 3) 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 Clerk shall be responsible

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for giving timely notice to absent members, as well as giving public notice, containing the information specified in Section 1.

- 4) Notice of a special meeting of the Quorum Court by the County Judge at other than a meeting of the Quorum Court shall be accomplished by the County Judge notifying the County Clerk in writing, if time permits and giving due public notice.
- 5) 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 notifying the County Clerk in writing, if time permits. In addition to the information specified in Section 1, the notice shall also include the name of each Justice of the Peace, making up the majority calling the meeting. The County Clerk shall be responsible for notifying the County Judge and each Justice of the Peace individually, not included in the majority calling the special meeting, in writing, if time permits, and giving due public notice.
- 6) In order to protect the rights and interests of all county officials concerned and the general public, it is the intent of this body that notice of a call for a special meeting shall be given as far in advance as possible consistent with the nature and immediacy of the purpose of the special meeting. The minimum twenty-four (24) hour's and unusual circumstances.
- 7) SEVERABILITY CLAUSE. 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 the other provisions or applications 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 to be severable.
- 8) 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. 1977-003](#), passed 01-03-1977)

§ 200.02 FEES TO BE PAID TO QUORUM COURT MEMBERS FOR ATTENDING ANY OFFICIAL, REGULAR, SPECIAL, OR COMMITTEE MEETINGS

- 1) Each Justice of the Peace shall be paid one hundred and eighty dollars (\$180.00) for each regular or special meeting called by the County Judge.

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- 2) Each Justice of the Peace attending any Committee Meeting will be paid fifty-five dollars (\$55.00).
- 3) Each Justice of the Peace shall be paid twenty seven cents (\$.27) per mile to and from home by the most direct and practicable route.
([Ord. 1999-004](#), passed 07-21-1999)

§ 200.03 JUROR SERVICE; RATE OF 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 Grant 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 Grant 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; and
 - 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 Grant 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 \$20.00 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 Grant County, Arkansas shall be responsible for remitting, in a timely manner, all documentation required by the 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(1) of this Ordinance.

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- 4) REPEALER. All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.
- 5) SEVERABILITY CLAUSE. If any provision of this Ordinance or application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications 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.
- 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. 1984-004](#), passed 05-14-1984; Am. [Ord. 1993-001](#), passed 02-17-1993; Am. [Ord. 1999-006](#), passed 07-19-1999; Am. [Ord. 2007-008](#), passed 12-17-2007)

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.

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(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.

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

Section

Reserved.

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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 County Library Board; Reorganization.
- 220.01 Grant County Waterworks Facilities Board ("ORION").
- 220.02 Center Grove Water Public Facilities Board.
- 220.03 Grant County Rescue.
- 220.04 Emergency Medical Services Advisory Board.
- 220.05 South Sheridan/Little Creek Water Works Public Facilities Board.

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§ 220.00 COUNTY LIBRARY BOARD; REORGANIZATION.

- 1) There is hereby established and created an Administrative Board to be known as the Grant County Library Board.
- 2) The Grant County Library Board shall promulgate reasonable and necessary administration rules and regulations for the administration and conduct of the Grant County Library and shall have all powers consistent with the purposes of this Board unless otherwise limited by State Law.
- 3) The Grant County Library Board shall consist of not more than five (5) members who shall be appointed by the County Judge subject to confirmation by the Quorum Court. The terms and qualifications of each member shall be as provided by Act 742, Acts of Arkansas, 1977.
- 4) No member of the Grant County Library Board shall receive pay, salary or other remuneration for services as such Board Member.
- 5) EFFECTIVE DATE. This Ordinance shall be in full force and effect on January 1, 1978.
- 6) EMERGENCY CLAUSE. Being necessary that this Ordinance be effective January 1, 1978, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.
([Ord. 1977-020](#), passed 12-12-1977)

§ 220.01 GRANT COUNTY WATERWORKS FACILITIES BOARD (“ORION”).

- 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 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 “Grant County, Arkansas Waterworks Facilities Board (“Orion”).
- 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 Price	One year

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Doyle "Pete" Croy	Two years
George Barnhill	Three years
Mary Spann	Four years
James Richardson	Five years

- 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 the 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.
- 7) SEVERABILITY CLAUSE. 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 the other provisions or applications 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 to be severable.
- 8) REPEALER. Any ordinance in conflict with this Ordinance is hereby repealed.
- 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. 1991-002](#), passed 04-15-1991)

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§ 220.02 CENTER GROVE WATER PUBLIC 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 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 “Grant County, Center Grove Water Public Facilities Board.”
- 3) The initial members of the Board, each of whom is a qualified elector residing within the operating area of Center Grove Water Association, Inc. and their respective terms of office shall be:

<u>MEMBER</u>	<u>TERM</u>
D. E. Baker	Five Years
Paul Howard	Two Years
Havis Plunkett	Three Years
Cleovis Whiteside	One Year
John Black	Four Years

Each member shall take and file with the County Clerk of Grant County 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 as lessor or lessee, 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 the 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

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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. 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 the other provisions or applications 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 to be severable.
- 8) REPEALER. Any ordinance in conflict with this Ordinance is hereby repealed.
- 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. 1998-003](#), passed 04-20-1998)

§ 220.03 GRANT COUNTY RESCUE.

- 1) The Grant County Rescue is hereby created.
- 2) A Board of Directors, which shall consist of five (5) members as follows, shall govern the Grant County Rescue:
 - a) The Office of Emergency Management Coordinator;
 - b) The Grant County Sheriff;
 - c) A member of the Grant County Quorum Court who shall be appointed by the Grant County Quorum Court;
 - d) A member of the Grant County Rescue who shall be appointed by the Grant County Quorum Court;
 - e) A member of the Sheridan City Council who shall be appointed by the Sheridan City Council.

The Grant County Judge shall be the Chairman of the Board of Directors of the Grant County Rescue, but shall not be a voting member of said Board.

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- 3) There shall be a Grant County Rescue Coordinator who shall be appointed by the Rescue Board of Directors.
- 4) EMERGENCY CLAUSE. This Ordinance being necessary to protect the welfare of the citizens of the County, an emergency is hereby declared and this Ordinance shall take full force and effect from and after its date of passage.
([Ord. 2003-003](#), passed 06-16-2003; Am. [Ord. 2004-008](#), passed 10-18-2004)

§ 220.04 EMERGENCY MEDICAL SERVICES ADVISORY BOARD.

- 1) There is hereby created the Grant County Emergency Medical Services Advisory Board.
- 2) It shall be the duty of the Grant County Medical Services Advisory Board to follow the needs of the citizens of Grant County for emergency medical services, including, but not limited to, ambulance services, and providing supplies and training to first responder organizations. Further, the Grant County Medical Services Advisory Board shall advise the Grant County Quorum Court on such needs for the citizens of Grant County.
- 3) The Grant County Medical Services Advisory Board Committee will be comprised of the Grant County Judge, the Mayors of the Cities of Sheridan, Prattsville, Poyen, Leola, Tull, and Chairman of the Grant County Mutual Aid Fire Association.
- 4) All recommended items of the Grant County Medical Services Advisory Board will be placed directly on the agenda of the Grant County Quorum Court for consideration.
- 5) The Emergency Medical Services Advisory Board will meet, at least, on a quarterly basis.
- 6) SEVERABILITY CLAUSE. 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 the other provisions or applications 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 to be severable.
- 7) REPEALER. Any ordinance in conflict with this Ordinance is hereby repealed.
- 8) 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. 2008-003](#), passed 05-19-2008)

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**§ 220.05 SOUTH SHERIDAN/LITTLE CREEK WATER WORKS 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 thereafter 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 this Act.
- 2) The name of the Board shall be “South Sheridan/Little Creek Water Works”.
- 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>
Frank Skores	Five Years
Elton Mitchell	Four Years
W.C. “Buddy” Baxter	Three Years
Robert Rickett	Two Years
Dean Bailey	One 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 principal of and interest of 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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- 7) SEVERABILITY CLAUSE. The provisions of this Ordinance are severable. If any provision thereof shall be held to be invalid or inapplicable to any person or circumstance, 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) The South Sheridan/Little Creek Water Works shall provide a map outlining the boundaries of this Ordinance being subject to the approval of the Grant County Quorum Court.
- 10) EMERGENCY CLAUSE. An emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval.
([Ord. 1993-003](#), passed 02-15-1993)

Article IV. COUNTY POLICIES

Section

General Policies

240.00 Capitalization Policy.

240.01 Credit cards and other types of credit instruments approved for the use in the day to day operations of the elected offices of Grant County.

Employee / Employment Policies

250.00 Employment policy.

250.01 Travel reimbursement policy.

Purchasing Policies

260.00 Grant County authorized to purchase goods for less than \$15,000 without taking formal bids.

General Policies

§ 240.00 CAPITALIZATION POLICY.

- 1) That this Ordinance sets Grant County's capitalization policy equal to or in excess of \$1,000.00.

([Ord. 2002-003](#), passed 03-19-2002)

§ 240.01 CREDIT CARDS AND OTHER TYPES OF CREDIT INSTRUMENTS APPROVED FOR USE IN THE DAY TO DAY OPERATIONS OF THE ELECTED OFFICES OF GRANT COUNTY.

- 1) Authorization is hereby given for the County and Circuit Clerk's Office, Sheriff and Collector's Office, County Judge's Office, Treasurer's Office, Prosecuting Attorney's Office, Tax Assessor's Office, District Judge's Office, and Circuit Judge's Office to use credit cards, other types of credit instruments, charge accounts, and other lines of credit for the day to day operations of the respective offices.
- 2) Only those employees as determined by the respective office holder to have a direct need for an office credit card or authorization for the use of a similar instrument of credit will be issued such cards or receive such authorization.

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- 3) Each employee provided a credit card or authorization to utilize a similar instrument of credit shall be noted in a file maintained by the respective office holder of each office and the file shall be open to public inspection. Said file shall contain at a minimum, the employees name, the type of credit card or account, the date the card was issued or authorization to utilize the account was given. The information maintained by the office shall be sufficient to identify all charges made on said account and who made the charges without divulging sensitive information, such as account numbers, that could be used to defraud the county.
- 4) All employees who are authorized and who utilize these instruments shall keep all receipts evidencing the use of such accounts and shall return said receipts weekly to the employee designated by the respective office holder to accept such receipts.
- 5) The employee designated to accept such receipts shall maintain all receipts and, shall each month reconcile such receipts against invoices submitted to the office by the entity that is owed. If the accounts cannot be reconciled due to lack of supporting documentation or unauthorized charges, the employee performing such reconciliation shall contact the individual responsible for the charge, if known, to ascertain the nature of the problem, (e.g. lost receipt) and report such to the office holder.
- 6) After reconciliation of such accounts the employee designated to perform such reconciliation shall provide a reconciliation report to the elected official who shall review such reconciliation and authorize the payment of such accounts if appropriate.
- 7) 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. 2011-002](#), passed 02-23-2011)

*Employee / Employment Policies***§ 250.00 EMPLOYMENT POLICY.**

- 1) PURPOSE.
 - a) The purpose of this document is to establish at-will employment as the default employment policy for the County and to state the General Employment Policies issued by the Quorum Court in its capacity as the legislative branch of County government. The General Employment Policies set forth herein apply uniformly

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to all county employees because they relate exclusively to “employee practices and policies of a general nature.” Source: AG Opinion 2000-151.

- b) Executive Employment Policies are those adopted by an elected county officer to apply to the employees of that office in the course of administering the “day-to-day administrative responsibility” of his or her elected office. A.C.A. §14-14-805(2). An elected official can create and administer his own employee discipline measures, subject, however, to the condition that these cannot contravene these generally, uniformly applicable measures adopted by the Quorum Court. Source: AG Opinion 2000-151.
- c) Each and every county employee is entitled to request a hearing before the County Grievance Committee in the event the employee believes that the executive decision of an elected official violates the constitution, the law or the general employment policy duly adopted by the Quorum Court. Source: AG Opinion 2000-151-.
- d) Nothing in this General Employment Policy adopted by the Quorum Court creates a property right in employment nor establishes grounds upon which discipline or dismissal must be based.

2) GENERAL COUNTY POLICY.

- a) The County is to treat all employees and citizens in a manner that is: i) rationally related to the effectuation of legitimate County objectives and ii) uniformly applied to all persons similarly situated.
- b) No official or employee of the County is to abuse or misuse his or her governmental power.
- c) No official or employee is to engage in any overt act that is either illegal (contrary to applicable statutes or judicial rulings) or unconstitutional (contrary to the U.S. Constitution or the Arkansas Constitution).
- d) No official or employee is to omit the performance of any duty that is affirmatively required by applicable laws.
- e) No official of county government shall “be interested, either directly or indirectly, and any contract or transaction made, authorized, or entered into on behalf of the county...or accept or receive any property, money, or other valuable thing, for his (or her) use or benefit on account of, connected with, or growing out of any contract or transaction of a county.” Ark. Code Ann. §14-14-1202

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- f) No official of county government is to engage in any act that would constitute “corruption, gross immorality, criminal conduct, malfeasance, misfeasance, or nonfeasance in office.” Ark. Code Ann. § 14-14-1311.
 - g) Each elected official of the County is to fully and completely administer the day-to-day affairs of his or her office of County Government on behalf of the County, in a manner that is in accord with applicable laws (statutes or judicial rulings), the constitutions (U.S. and Arkansas), and this general County policy.
 - h) Use of deadly force against another person by the Sheriff or any Deputy Sheriff is limited to the following: 1) to effect an arrest or to prevent the escape from custody of an arrested person whom the office reasonably believes; (a) there is probable cause to arrest the felony suspect; b) the felon cannot otherwise be apprehended; and c) the felon either; i) had used deadly force in the commission of the felony or ii) would use deadly force against the officer or others if not immediately apprehended or 2) to defend himself or a third person from what he reasonably believes to be the imminent use of deadly force.
- 3) COUNTY EMPLOYMENT POLICY.
- a) Pursuant to its authority as the legislative branch of County government, the Quorum Court adopts “at-will” employment as the default employment policy for each County employee. At will employment is not for a specific period of time and employment may be terminated at any time, without notice or liability of any kind (except for wages earned and unpaid) and with or without cause. Unless rehired by a newly elected supervising county official, employment shall cease at the conclusion of the county’s biennium (December 31 of even-numbered years). If, notwithstanding this document, any employee contends that he or she has a property right in his or her employment or a substantial expectancy of continued employment (express, implied, written or oral) until “just cause” exists for reduction or removal in pay or position, then that employee shall assert such contention at a “property right” grievance hearing requested in the time and manner set forth in this policy. (Modified 09/24/2001).
 - b) It is the County’s policy to provide equal opportunity for all qualified persons; to prohibit unlawful discrimination in employment practices, compensation practices, personnel procedures, and administration of benefit plans; and to otherwise provide the same or similar treatment and opportunities to all persons similarly situated.
 - c) **Working Hours** – The normal work day for courthouse employees will be from 8:00 a.m. until 4:30 p.m. All offices except the Assessor, Collector and Clerk,

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shall be closed from 12:00 noon to 1:00 p.m. All other county employee's work hours will be set by their supervisor or the county official of that office.

- d) **Paydays** – Normal paydays are every 2 weeks. Four (4) types of withholdings are mandatory and are withheld as follows: (a) Federal Income Tax; amount determined by your tax bracket and by exemptions shown on W-4 form. (b) State Income Tax; amount determined by your tax bracket and exemption. (c) Social Security (FICA); percentage of gross wage as required by Federal Regulation and five (5%) percent Contributory Retirement on all new employees.
- e) **Nepotism**- This Ordinance establishes procedures for the employment of immediate family members. Immediate family members may be employed only if NOT under direct supervision of another family member or in another department from this date forward.

4) REDUCTION OR REMOVAL OF PAY OR POSITION.

- a) A County Official may reduce or remove pay or position for any reason that is rationally related to the effectuation of any conceivable legitimate County objective.
- b) Examples: it is not possible to list all “rational bases:” for reduction or removal of pay or position; however, examples include (without limitation):
 - i) Misrepresentation, dishonesty or self-dealing conduct;
 - ii) Intemperate conduct;
 - iii) Insubordination, including the failure or refusal to follow the legal orders of your supervisor or other supervisors;
 - iv) Negligent, reckless, knowing or intentional destruction of county property;
 - v) Abuse or misuse of your position as a County employee;
 - vi) Any conduct, acts or omissions that interfere with or impair your ability to properly and effectively perform your duties as a County employee;
 - vii) Any rational change in the mode or manner of operations, including any rational decision regarding the persons selected by the County Official for the delivery of County services.

5) CONSTITUTIONALLY PROTECTED CONDUCT.

- a) It is the policy of this County not to violate the Constitution or the laws of Arkansas or the United States.

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- b) Should any applicant, employee, or person requesting County assistance or services contend that he or she has been unlawfully discriminated against because of the race, color, religion, gender, national origin, age, or disability or that he or she has been unlawfully punished for the exercise of a constitutionally protected liberty right (e.g., free speech, free association, political patronage, access to courts, privacy, etc.) or treated in any other unlawful or unconstitutional manner, the applicant or employee shall request, in the time and manner set forth in this county employment policy, a "liberty right" hearing before the county grievance committee to provide the county's final policymaker with authority and opportunity to voluntarily confirm the conduct of county officials and county employees to the requirements of county policy. (Modified 01/01/2000)
- 6) HIRING AND PROMOTING.
- a) The at-will employment policy set forth herein applies equally to hiring and promoting. Nothing herein shall create a property right in employment, entitlement to be hired or promoted, or an expectancy of continued employment. Nothing herein establishes grounds upon which hiring or promoting must be based.
 - b) Prospective employees who are required to register with the selective service system must certify compliance with the Military Selective Service Act as a condition for employment. (Added 2/98)
- 7) EMPLOYEE BENEFITS. Eligibility for vacation leave or other employee benefits does not create any property right in employment or any expectancy of continued employment.
- a) **Annual Leave (Vacation)-** After one year of continuous service, employee is entitled to one week (40 hours) vacation leave; after three (3) years of service, two weeks (80 hours) of paid leave; after ten (10) years of service three weeks (120 hours) of paid leave. Employees will schedule vacation leave with the approval of the supervisor or the official of that office. Employees are allowed to carry up to 40 vacation hours over but must use them within the first six months of the following year.
 - b) **Sick Leave-** Twelve (12) days per year at the rate of eight (8) hours per month. Sick pay can accumulate up to a total of 720 hours.
 - i) Written documentation of inability to work and expected return to duty must be provided after three (3) days.
 - ii) During an extended time off due to illness or injury, the employee shall keep their supervisor apprised of their recovery progress every two weeks.

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- iii) No sick time can be loaned, borrowed or transferred to another employee.
- iv) After five (5) unexcused absences within any twelve (12) month period a doctor's excuse must be obtained for any subsequent absence within the next 90 days. This includes family and employee business.
- v) Sick leave may be used for medical, dental and optical exams and for serious illness or injury requiring hospitalization or emergency treatment in the employee's and spouse's immediate family (mother, father, and children). This is when the presence of the employee is required, not to exceed five (5) days in a calendar year.
- vi) Employees who suffer a work related injury, illness or medical condition, which renders them temporarily disabled and unable to perform their regularly assigned duties, shall be placed on medical leave of absence with pay. This leave will not exceed the actual inability to perform their regularly assigned duties.
- vii) Employees who suffer a non-work related injury, illness, or medical condition which renders them temporarily disabled and unable to perform their regularly assigned duties will be granted the use of their accumulated sick leave. If the accumulated sick leave does not cover the necessary time of recovery; vacation, comp-time, or personal leave may be used. If all accumulated leave has been exhausted, a request for leave without pay may be used. If the leave without pay is granted, the period will be for thirty (30) calendar-day periods. This leave will normally not be greater than three (3) consecutive thirty (30) calendar-day periods. Requests beyond the ninety (90) calendar-day period will be decided by the Dept. Head on a case-by-case basis.
- viii) Employees who suffer an injury, illness, or medical condition, which renders them permanently disabled, and unable to perform their duties, shall be discharged. The employee may apply for retirement, worker's compensation, or other benefits to which the employee may be entitled.
- ix) Employees requesting medical leave for a non-work related injury or illness must do so in writing. This request is to be addressed to the Dept. Head as soon as practical after learning of the disability. If accumulated sick leave has been exhausted, the request should specify the type of accumulated leave being requested. If the employee does not have any type of leave, a request of leave without pay must be submitted as soon as practical. The request must include a physician's statement specifying the following:

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1. Nature and probable cause of the injury, illness or medical condition;
 2. Estimated recovery period;
 3. Estimated date of return to duty.
- x) If an employee is on leave without pay, the employee will not accrue or receive entitled benefits. If the employee desires to maintain the group health and dental insurance, the payroll clerk must be notified. The county will pay the group health insurance premiums for a maximum of twelve (12) weeks. The employee is responsible for paying the family portion of the premium. If the employee does not return to duty, the county may demand repayment of the premiums paid on the employee's behalf. After twelve (12) weeks, the employee assumes full cost of the premium.
- xi) Failure to provide physician's statements or periodic updates on medical condition may result in denial of paid leave, or any other benefits entitled, being placed on leave without pay, or further disciplinary action.
- xii) In the case of permanent disability, discharge procedures may be requested by the employee or by the Dept. Head. The employee is required to provide the Dept. Head with all pertinent medical documentation to establish the reality of permanent disability. This request may result in additional medical testing. The Dept. Head or his representative may make the request for additional medical testing.
- xiii) Employees requesting leave of absence will submit a request to the Dept. Head thirty (30) days prior to the stated date of leave. In the case that that is not possible, the employee shall provide as much notice as possible.
1. If a serious medical condition is causing the request for leave, the employees shall provide appropriate documentation of the condition.
- xiv) Any supervisor who receives a request for leave from their subordinate shall forward the request through the chain of command to the Dept. Head.
- c) **Worker's Compensation** – All employees of the County are covered by Worker's Compensation. Employees sustaining any on the job injury must report injury to the supervisor immediately.
- d) **Military Leave** – Employees who are members of the National Guard or any of the reserve branches of the armed forces shall be granted two weeks leave

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annually. Each employee who requests military leave must furnish a copy of his orders for the personnel file.

- e) **Jury Duty**- Any employee serving as a witness or juror shall be entitled to full compensation from the county in addition to any fees paid for such services and such service will not be counted as vacation leave. An employee who reports for jury duty and does not serve must return to the job immediately in order to qualify for full compensation from the county for that day.
 - f) **Holidays** – County offices will observe the following holidays: New Year's Day, Martin Luther King's Birthday, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and the day after, Christmas (2 days). Any special day proclaimed by the President or Governor. To qualify for holiday pay the employee must work the day before and the day after a holiday, or take vacation or comp time on each of these days, no sick leave will be allowed for consideration for holiday pay (with the exception of uniform personnel).
 - g) **Maternity Leave** – Disabilities caused or contributed to by pregnancy, miscarriage, abortion, child birth and recovery thereof are all job related purposes, temporary disabilities and will be treated as such. Accumulated sick leave and annual leave, if requested by the employee, will be granted for maternity use, after which leave without pay must be used. At the beginning of an employee's pregnancy, a statement from her physician stating that her pregnancy will not affect her operational efficiency while on duty should be submitted to her supervisor. A pregnant employee may remain in duty through the 8th month or up to the delivery date, if approved by her doctor. When work is to be extended beyond completion of the 8th month of pregnancy, a supporting letter of approval from her doctor must be submitted to the County Judge prior to completion of the 8th month of pregnancy.
 - h) **Death** – Employees will be granted three days (3) from the day of death as bereavement leave for an immediate family member; (includes spouse, parent, grandparent, spouse's parent, grandparent, and siblings). Personal accumulated time may be granted for death of distant family members, or friends, and in the event that an employee is requested to be a pall bearer.
- 8) **INFORMAL PROCEDURES FOR REPORTING/RESOLVING PERCEIVED HARASSMENT.**
- a) This policy provides an informal procedure for reporting any conduct or condition perceived to be race, color, religion, gender, sex, national origin, age, or disability harassment to enable the county to receive timely notice and to act affirmatively, if needed, to assure compliance with the law. If this informal procedure does not

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achieve the desired result, the affected person should utilize the Grievance Hearing procedure to bring the matter before the County Grievance Committee. (Modified 1/1/00)

- b) Race, color, religion, gender, sex, national origin, age, or disability harassment (by conduct or condition) is prohibited.
 - c) If you consider a County official's or a county employee's conduct or a workplace condition to be race, color, religion, gender, sex, national origin, age, or disability harassment, report it immediately to any supervisor or elected official. (Modified 01/01/2000)
 - d) The supervisor or elected official receiving any such report shall report the matter to the appropriate elected official or officials, which for the implementation of this procedure, shall be the elected official(s) responsibility for managing the day-to-day affairs of the office of county government in which the alleged harassment occurred or in which alleged harasser works.
 - e) Any supervisor or elected official receiving any such report shall report the matter to the appropriate elected official or officials which, for the implementation of this procedure, shall be the elected official(s) responsibility for managing the day-to-day affairs of the office of county government in which the alleged harassment occurred or in which the alleged harasser works.
 - f) If the person reporting the alleged harassment is not satisfied with the action taken or if the alleged harassment continues, that person shall report the matter to the County's Prosecuting Attorney or Deputy Prosecuting Attorney.
 - g) Except to the extent needed to implement this policy and remedy the alleged harassment, the identification of the person reporting the conduct or condition shall remain confidential.
 - h) Reporting conditions or conduct reasonably believed to be prohibited harassment shall not adversely affect the reporting citizen or employee. (Modified 01/01/2000)
- 9) GRIEVANCE HEARING PROCEDURE. Caveat: The purpose of this Grievance Hearing Procedure is to establish a required procedure to resolve applicant and employee grievances, and to thereby enable the county to voluntarily confirm the conduct of county officials and county employees to the requirements of county policy. If the applicant or employee does not follow this affirmatively required county grievance hearing procedure, the county will raise waiver and estoppel as affirmative defenses to any claims against the

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county filed by the applicant via any administrative or judicial procedures otherwise available for redress of grievances.

a) Availability of Property Right Hearings.

- i) At-will employment may be terminated by either the County or the employee at any time without prior notice, without cause, and without any property right hearing.
- ii) Any claim that any employee is a permanent employee or that the employee has a constitutionally protected property right in employment, entitling the employee to continue employment until “just cause” for discipline or dismissal is proved by the County at a pre-deprivation hearing, must be timely asserted in writing by the affected employee in accordance with the Grievance Hearing Procedure, or the property right claim will be waived by the employee. (Modified 09/24/2001)

b) Availability of Liberty Right Hearings.

- i) Any claim of illegal county employment discrimination on the basis of race, color, religion, gender, age, national origin, or disability or because the county is acting in a manner that is arbitrary, capricious, or unreasonable, in hiring, compensation, conditions of employment, discipline, or dismissal must be timely made in writing by the affected applicant or employee in accordance with this grievance hearing procedure. (Rev. 6/98).
- ii) Any claim that any employee treatment, discipline, or dismissal is unconstitutional punishment due to the employee’s exercise of a constitutionally protected “liberty right” or other constitutionally protected activity of the employee must be timely made in writing by the affected employee in accordance with this grievance hearing procedure.
- iii) Any claim that any employee treatment, discipline, or dismissal is contrary to the public policy of Arkansas must be timely made in writing by the affected employee in accordance with this grievance hearing procedure.

c) Availability of Name Clearing Hearings. Any claim that any employee’s liberty interest in future employment has been damaged as a result of any “stigmatizing charge” publicly communicated by the County must be timely asserted by the affected employee in accordance with this grievance hearing procedure.

d) Availability of Hearings Generally.

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- i) A grievance hearing requested by an applicant or employee is not required to be held unless it is timely requested in the manner required by this Employee Grievance Hearing Procedure and required by the Constitution or by this Policy.
 - ii) Neither liberty rights nor property rights are created by this document.
 - iii) The County may, in its discretion, hold a hearing prior to any decision or deprivation.
- e) **Timely Requests for Grievance Hearing.**
- i) It is the applicant's or employee's duty to request a grievance hearing.
 - ii) The applicant or employee must timely file a written grievance hearing request after any claimed deprivation of the applicant's liberty or employee's liberty or property, or any right to a hearing or to object to the deprivation shall be waived.
 - iii) The grievance hearing request should state, in writing:
 - 1. A grievance for which the hearing is requested;
 - 2. The factual basis of the grievance; and
 - 3. The relief sought.
 - iv) The written grievance hearing request shall be delivered to the County Grievance Committee in care of the County Judge no later than 4:30 pm (four-thirty) on the third full business day (weekends and holidays excluded) after any claimed deprivation for which a grievance hearing is requested.
 - v) Any dismissal decision shall automatically be a suspension with pay for three full business days (weekends and holidays excluded) during which time the employee subject to dismissal may request a pre-deprivation hearing, in which case the suspension with pay shall continue until the conclusion of the County Grievance Committee. All accrued but unpaid leave time – e.g., vacation, comp time, etc.- will automatically run concurrent with the period of suspension with pay, unless the employee prevails in his or her grievance. Any discipline decision that will result in reduction or removal of pay or position shall automatically be deferred for three full business days (weekends and holidays excluded) during which time the employee subject to discipline may request a pre-deprivation

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hearing, in which case the deferral shall continue until the conclusion of the County Grievance Committee hearing. (Rev. 11/95 & 2/97)

- vi) The Grievance Committee shall respond in writing to all timely submitted Grievance Hearing Requests stating:
 - 1. The time and place of the hearing, if the hearing request is granted; and
 - 2. The reason for denial, if the hearing request is denied.

f) Hearing Procedures.

- i) NOTICE: After an employee requests a grievance hearing, the employee shall be notified of the date, time, and place of the hearing.
- ii) SUSPENSION WITH PAY: If it was determined that the grieving employee should continue to work until the hearing is concluded, the employee may be requested to perform duties for the benefit of the County with pay pending the outcome of the hearing.
- iii) HEARING RECORD. The hearing shall be reported by a court reporter (not merely a tape recorder) for transcription upon request by either party at the expense of the requesting party.
- iv) PROCEDURAL ISSUES. At the hearing, on the record, the parties shall suggest any desired hearing procedures and state any complaints regarding: a) the notice; b) the date, time, or place of the hearing; c) the opportunity to refute fairly the charges; and d) the impartiality of the decision maker(s).
- v) RULES OF PROCEDURE AND EVIDENCE. Informal rules of procedure and evidence (Ark. Code Ann. §25-15-208) shall be followed:
 - 1. Witnesses shall testify under oath;
 - 2. Parties shall be allowed, at their own expense, to obtain and use legal counsel for representation;
 - 3. Parties shall be allowed to obtain and use the presence of witnesses for examination, cross examination and rebuttal; and
 - 4. Parties should be granted a reasonable continuance if requested prior to the hearing in writing and if reasonably necessary for stated reason to prepare adequately for the hearing.

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- vi) PUBLICATION. The County Grievance Committee shall hear the evidence offered by the parties, hear any argument desired by the parties, and vote without public discussion or deliberation. Only the decision and not the factual or legal reasons therefore shall be announced publicly. The hearing shall be held in public if so required by the FOIA; however, the employee may, at any time, decline the hearing and accept the intended discipline or dismissal.
- vii) CONFIRM IN WRITING. After the hearing, the grieving applicant or employee shall be sent a letter stating the factual and legal bases found by the County Grievance Committee for any refusal or removal of pay or position.

g) Hearing Issues and Burdens of Proof.

i) Property Interest Hearings.

1. Since this county employment policy affirmatively creates at-will employment as the default employment policy of the County, the employee has the burden of proving by a preponderance of the evidence that he or she has a property interest in his or her employment. (Modified 09/24/2001)
2. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving “just cause” for the supervisory official’s intended discipline or dismissal of the employee.

ii) Liberty Interest Hearings.

1. Claim of Arbitrary Discrimination (Unequal Treatment).
 - a. The grieving employee has the burden of proving by a preponderance of the evidence that he or she is being treated differently than another person otherwise similarly situated with the employee.
 - b. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the reason for the difference in treatment is rationally related to the effectuation of a legitimate county objective.
2. Claim of Unconstitutional Punishment.

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- a. The employee has the burden of proving by a preponderance of the evidence that he or she has engaged in constitutionally protected conduct that was a substantial or motivating factor in any adverse employment decision, discipline, or dismissal.
 - b. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving that the adverse employment decision, discipline, or dismissal would have occurred even in the absence of the constitutionally protected conduct.
3. Claim of Discrimination Due to Race, Color, Religion, Gender, Sex, Age or National Origin. (Rev. 6/98).
 - a. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is being treated or affected differently than another person who other than for race, color, religion, gender, sex, age, or national origin, is similarly situated with the applicant or the employee.
 - b. Where the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the proven inequality of treatment or effect is necessary to effectuate a compelling county objective.
4. Claim of Discrimination Due to a Disability.
 - a. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is a qualified individual with a disability who, because of the disability, is being treated or affected differently than another person in regard to job application, procedures, advancement, dismissal, compensation, training, or other terms, conditions, or privileges of employment.
 - b. Where the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the proven difference in treatment or effect is job-related and necessary to effectuate a legitimate county objective, that performance

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of the job cannot be accomplished by reasonable accommodation, or that the needed accommodation would result in undue hardship on the county.

- c. Definitions: the following definitions apply to claims of discrimination due to a disability:
 - i. ***Disabled* or *disability*** – A physical or mental impairment that substantially limits one or more of the major life activities of an individual; having a record of such an impairment; or being regarded as having such an impairment.
 - ii. ***Regarded as having such an impairment*** – Includes those with conditions such as obesity or cosmetic disfigurement, and individuals perceived to be at high risk of incurring a work-related injury.
 - iii. ***Discrimination*** – Includes:
 - 1. Limiting, segregating, or classifying a job applicant or employee in a manner that adversely affects his or her opportunities or status;
 - 2. Participating in contractual or other arrangements that have the effect of subjecting individuals with a disability to discrimination;
 - 3. Using standards, criteria, or methods of administration in such a manner that results in or perpetuates discrimination;
 - 4. Imposing or applying tests and other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities unless the test or selection criteria are job-related and consistent with county necessity;
 - 5. Failing to make reasonable accommodations to the known limitations of a qualified individual with a disability unless the

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covered entity can demonstrate that an accommodation would impose an undue hardship on the operation of the county; or

6. Denying employment opportunities because a qualified individual with a disability needs reasonable accommodations.

iv. ***Reasonable Accommodation*** – includes:

1. Making existing facilities used by employees readily accessible to the disabled;
2. Job restructuring;
3. Flexible or modified work schedules;
4. Reassignments to other positions; and
5. The acquisition or modifications of equipment or devices.

v. ***Undue Hardship*** – an action requiring “significant difficulty or expense,” considering:

1. The overall size of the county with respect to the number of employees, number and type of facilities, and size of the budget;
2. The type of operation maintained by the county including the composition and structure of the work force of that entity; and
3. The nature and cost of the accommodation needed.

vi. ***Qualified Individual with a Disability*** – means an individual with a disability who, with or without reasonable accommodation, can perform the “essential functions” of the employment position held or desired.

vii. ***Essential functions*** – means job tasks that are fundamental but not marginal (not every job task is

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to be included in determining the essential functions).

5. Claim of a Completely Arbitrary Decision (Added 2/97)

- a. The grieving employee has the burden of proving by a preponderance of the evidence that the action taken against him or her is not rationally related to the effectuation of any conceivable legitimate governmental objective of the county.
- b. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the action taken against the grieving employee is rationally related to the effectuation of a conceivable legitimate governmental objective of the County.

iii) Name Clearing Hearings.

1. The grieving employee has the burden of proving by a preponderance of the evidence that the action taken against him or her is not rationally related to the effectuation of any conveyable legitimate governmental objective of the county.
2. Where the employee meets his or her burden of proof, the county shall provide the applicant or employee a public hearing to clear his or her name.

10) COUNTY GRIEVANCE COMMITTEE.

- a) The County Grievance Committee for employees hired by the county judge shall be the quorum court, but the decision of the Grievance Committee shall only be advisory to the County Judge. (Ark. Con., Am. 55, Section 3)
- b) The County Grievance Committee for employees not hired by the county judge shall be the county quorum court (or its appointee), and the decision of the Grievance Committee shall be the decision of the County. (Ark. Con. Am. 55, Section 1)
- c) The purpose of the grievance hearing is to enable the county, through its Grievance Committee, to hear from both the employee and the employee's supervisory official and to thereafter determine whether or not an executive decision of the county official or employee violates the Constitution or the Law.

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If the decision being challenged in the Grievance Hearing Process is determined by the County Grievance Committee to violate the Constitution or the law, then the County Grievance Committee shall declare the decision to be unconstitutional or illegal and shall direct the supervising elected county official to modify that executive decision to conform that decision to the requirements of the Constitution or the law. (Modified 09/24/2001)

- d) The County Grievance Committee is not to substitute its operational judgment for that of an elected official if the decision of the county official or employee does not violate the Constitution or the law. (Modified 09/24/2001)
 - e) If the employee's supervisory official refuses to abide by the County Grievance Committee's decision, then the County Grievance Committee must either access the courts to seek an order enjoining the supervisory official from acting contrary to the Constitution or the Law or the County Grievance Committee shall be deemed to have acquiesced to the decision of the supervisory official and the decision of the supervisory official shall become the County's final decision with respect to the employment action taken. (Added 02/15/2000 per 02/11/2000 Order by J. Barnes in *Edwards v. Columbia Co.*, U.S.D.C. #98-1110. Modified 09/24/2001)
- 11) **RELEASE OF EMPLOYEE GRIEVANCE RECORDS.** Public access to employee grievance records is authorized only if approved by the affected employee or authorized by the Arkansas Freedom of Information Act.
- 12) **FMLA LEAVE POLICY.**
- a) **Purpose.** The purpose of the Family and Medical Leave Act (FMLA) of 1993 is to balance 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 (12) months and worked at least 1,250 during the previous twelve (12) months to qualify for FMLA.

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- 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 a child with the employee for adoption or foster care;
 - iii) To care for the employee's 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 (30) days' notice, if possible, of the intention to take leave.
- h) **Medical Certification.** The County requires medical certification that the leave is needed due to the employee's own serious health condition or that of a family member. The county may, at the county's expense, require a second medical opinion. If the first and second opinions differ, the county may request a third opinion, at the county's expense, which is then binding.
- i) **Continuation of Benefits.** The County will continue the employee's health insurance under the same conditions as if the employee were working. Under this circumstance, the employee will still be required to pay his or her share of the premium if the county's health insurance plan provides for such co-payments. Leave under this Act is not a "qualifying" event under COBRA. If the employee does not return to the job, the employee shall be liable to the County for repayment of the health insurance benefits paid by the county during the employee's FMLA leave.
- j) **Return to the Job.** Upon returning from leave, an employee is entitled to be restored to the same or equivalent position with equivalent pay, benefits and other terms and conditions of employment.
- k) **Concurrent Leave.** FMLA leave will automatically run concurrent with all other available leave time. (e.g., sick leave, maternity leave, etc.) (Rev. 11/95)

13) PUBLIC SAFETY EMPLOYEE DRUG AND ALCOHOL TESTING. (Rev. 2/98)

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- a) All employees are subject to testing by the county to detect the presence of controlled substances and alcohol in their body, including:
 - i) Pre-employment Testing (controlled substances only)
 - ii) Reasonable Suspicion Testing
 - iii) Random Testing
 - iv) Post-accident Testing; and
 - v) Return-to-Duty and Follow-Up Testing.
- b) The Drug and Alcohol Testing Procedures required by the U.S. Department of Transportation (the Rules) shall be the procedures followed by the County, which procedures shall not be contrary to procedures promulgated by the Association of Arkansas Counties.
- c) Upon the County's adoption of this policy, or at the point of hiring, each county employee shall certify in writing that:
 - i) The employee has been informed of and understands his or her obligations under the County's drug and alcohol testing policy and the drug and alcohol regulation of the U.S. Department of Transportation;
 - ii) The employee understands that the use or possession of alcohol in any form is prohibited in the workplace, and that there are restrictions on alcohol use for a period prior to reporting for work and after an accident;
 - iii) The employee understands that the possession or use of unauthorized or illegal drugs is prohibited at any time whether in the workplace or not; and
 - iv) The employee understands that, as a condition of employment, the employee must submit to collection of breath, urine, blood and/or saliva samples when requested by the county employer or contractor action for the county employer and, also, that the employee may be subject to drug and alcohol testing in other circumstances including, but not limited to post-accident and when the employer has reasonable suspicion to believe the driver has engaged in prohibited actions concerning controlled substances or alcohol.
- d) Drug and alcohol testing will be administered to the employees in the circumstances and in the manner mandated by the Rules.

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- e) Reasonable suspicion testing shall be conducted when the supervising elected official or direct supervisor believes reasonable suspicion exists under the particular facts of the particular case. ***“Reasonable suspicion”*** is defined as suspicion based upon specific, objective, and articulable facts and any rational inferences from those facts which would lead a reasonable person to suspect an individual has committed prohibited acts or omissions. Reasonable suspicion of drug abuse or misuse is based upon behavioral and performance factors which include, but are not limited to, a decrease in work performance level, misconduct, excessive absenteeism and tardiness, history of citizen complaints, excessive use of sick leave, negligent accidents, poor traffic safety record, and other documentable facts and circumstances.
- f) The following shall result in immediate discharge:
 - i) Refusal to take a mandated test for drugs and alcohol;
 - ii) A positive drug test result, once the time limit for requesting a second test of a split sample has expired, or upon receipt of a positive drug test from the second test; or
 - iii) A positive alcohol test result.
- g) Employees whose initial drug test results are positive and who request a test of the second portion of the split sample will be suspended without pay until such time as the County’s “Designated Representative” receives the results of the second (split sample) test. Such second test will be paid for by the employer to be reimbursed to the County by the employee. The County shall withhold from the employee’s paycheck the cost of the second (split sample) test to reimburse the County. A negative result from the second (split sample) drug test will render the first test invalid and the employee will be reinstated with back pay and reimbursement for the costs of the second test. (Rec. 09/22/1997)
- h) An employee suspected of unlawful use of drugs or abuse of alcohol while on duty, as established by the Rules, or who is involved in an accident as defined in 49 CFR 390.5 by the Rules, shall be suspended immediately with pay until the results of the drug or alcohol test are received by the county’s “Designated Representative”.

14) COMPENSATORY TIME. (Added 9/22/97; Revised 09/09/1998)

- a) As authorized by the Fair Labor Standards Act, compensatory time off will be allowed non-exempt employees for time worked in excess of the normal work

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period. This provision of compensatory time will be provided in lieu of overtime pay.

- b) The normal work period shall be 40 hours per week for all employees except employees engaged in the provision of law enforcement. The normal work week for law enforcement personnel shall be no more than 171 hours in a 28 consecutive day work period.
- c) Overtime shall only be worked in emergencies or when public health, welfare, and the safety of the general community are in danger, or it is deemed necessary for the office holder to perform the day to day duties of the office.
- d) Only employees defined by the Fair Labor Standards Act (Title 29, Part 541 of the Code of the Federal Regulation) as non-exempt (other than "bona fide executive, administrative, or professional capacity") will be entitled to overtime compensation.
- e) The County's non-exempt employees shall receive in lieu of over-time pay, compensatory time off at a rate of one and one-half hours for each hour of time worked in excess of the normal work period.
- f) No employee should carry over more than 120 hours of compensatory time from one calendar year to the next. In the event an employee's time exceeds 120 hours, it is at the elected official's discretion to compensate monetarily for overage.
- g) An employee who has accrued compensatory time shall, upon termination of employment, be paid for the unused compensatory time at a rate of compensation of not less than:
 - i) The average regular rate received by such employee during the last three years of the employee's employment;
 - ii) A final regular rate received by such an employee, whichever is higher.
- h) An employee who has accrued compensatory time off and who has requested the use of such shall be permitted to use such time within a reasonable period after making a request if the use of the compensatory time does not unduly disrupt the operation of the employing agency.
- i) No overtime hours shall be worked without the approval of the Elected Official or such supervisory personnel designated by the Elected Official to approve the overtime.
- j) All Elected Officials and Department Heads will maintain time sheets to be filled out by the employee on a weekly basis under oath and signed by the Elected

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Official or Department Head. The time sheets will be provided to the County Clerk's Office bi-weekly to be kept as a permanent record. If the Elected Officials or Department Heads fail to give the required approved time sheets to the County Clerk, the County Clerk is not to issue subsequent paychecks.

- k) Accumulated compensatory time will be kept by each elected official and their respective offices. The compensatory report will reflect compensatory time accumulated and the compensatory time off taken by the employee who has earned it.
 - l) The County Clerk will inform the County Judge on a quarterly basis as to the amount of accrued compensatory time to make sure that unapproved overtime liability has not incurred. This report can also be given at any time by the request of the Quorum Court.
 - m) The County requests that any compensatory time incurred in any 28-day work period is to be used by the employee during the next 28-day work period, when it can be done so without hardship on the day to day operation of the office.
 - n) Paid leave days shall not count toward calculating overtime unless the employee actually worked on a paid leave day (e.g. a holiday worked by an employee).
 - o) A person who accepts employment of the County or continues in its employment shall be considered or deemed to have agreed to receive compensatory time off in lieu of overtime compensation.
- 15) **POLITICAL ACTIVITY.** Arkansas State Law prohibits employees from devoting time or labor during usual working hours toward the campaign of candidates for office for the nomination to an office. The statute further prohibits the use of campaign of candidates for office or for the nomination to an office. The statute further prohibits the use of campaign literature (including bumper stickers) on a vehicle belonging to the County. In addition, employees working in federally funded programs are covered by the Federal Hatch Act, in addition to State laws which may restrict off duty activities. The solicitation or collection of contributions for elected officials, candidates for office, or for any political activity is specifically prohibited during working hours. Otherwise, employees may engage in any political activity in which the other citizens of the County may participate, including the wearing of campaign buttons, pins, etc. Good judgment would suggest that discretion be used in the displaying of campaign materials during working hours. It is desirable to project a strict non-partisan image during performance of one's job with the County.
- 16) **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

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

([Ord. 1981-004](#), passed 05-11-1981; Am. [Ord. 1991-001](#), passed 02-18-1991; Am. [Ord. 1994-002](#), passed 11-21-1994; Am. [Ord. 1995-007](#), passed 12-18-1995; Am. [Ord. 1996-006](#), passed 08-19-1996; Am. [Ord. 2003-006](#), passed 11-17-2003; Am. [Ord. 2011-007](#), passed 12-19-2011)

§ 250.01 TRAVEL REIMBURSEMENT POLICY.

- 1) APPROVAL AND DOCUMENTATION. Each respective elected official must approve all requests for travel prior to the employee's departure. The elected official will evaluate the impact of travel requests against factors including budget constraints, job-relatedness of traveler's activities, and other program considerations.

All requests for travel related reimbursement must be accompanied by a travel expense reimbursement form. This form will be provided by the employee to the respective elected official upon request for reimbursement. Each elected county official requesting reimbursement for travel expenses will also prepare a travel expense reimbursement form and attach the required documentation.

For use of a private vehicle directly related to official business the travel expense reimbursement form will include the business purpose, the date of the travel, the destination, the number of miles driven, the rate per mile and the amount of reimbursement claimed.

For all other business travel expenses, the travel expense reimbursement form will include the date, business purpose, description of the expense, itemization of each expense, and a summary of the amount of reimbursement claimed. All supporting documentation, receipts, program agendas, etc., will accompany the form.

- 2) BUSINESS USE OF PRIVATE VEHICLES. Reimbursement for use of a private vehicle for travel directly related to official business will be reimbursed at the amount allowed by the State of Arkansas for its employees.
- 3) FOOD. To be eligible for reimbursement for the costs of food the county employee or elected county official must be on an overnight trip for a seminar, conference, business meeting, etc. The maximum amount per day for food shall be the amount allowed by the State of Arkansas for its employees. Additionally, tips of not more than 15 percent (15%) are reimbursable. All amounts to be reimbursed for food, drink, and tips must be clearly

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identified and itemized on the receipt prepared by the vendor. The county shall not reimburse the costs of alcoholic beverages.

- 4) OTHER BUSINESS TRAVEL EXPENSES. Other business travel expenses including air fare, taxicab, bus, rental, vehicles, parking, seminar and conference fees, lodging, etc., are reimbursable at cost with actual receipts. All amounts to be reimbursed for other business travel expenses must be clearly identified and itemized on the receipt prepared by the vendor.
- 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. 2011-004](#), passed 04-18-2011)

Purchasing Policies

§ 260.00 GRANT COUNTY AUTHORIZED TO PURCHASE GOODS FOR LESS THAN \$15,000.00 WITHOUT TAKING FORMAL BIDS.

- 1) That this Ordinance authorizes Grant County to purchase goods for less than \$15,000.00 without taking formal bids and anything over \$15,000.00 must take formal bids.
([Ord. 1996-005](#), passed 06-17-1996; Am. [Ord. 2005-005](#), passed 11-21-2005)

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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

280.00 Election to fund the implementation of a 9-1-1 emergency telephone system.

Flooding

290.00 Flood damage prevention program.

General

§ 280.00 ELECTION TO FUND THE IMPLEMENTATION OF A 9-1-1 EMERGENCY TELEPHONE SYSTEM.

- 1) An election will be held on July 27, 1993, for the purpose of approving or rejecting an Ordinance to implement 9-1-1 emergency telephone service within Grant County, Arkansas.
- 2) At the election to be held on that date, the voters will be asked to vote upon the following question:

For 9-1-1 emergency Telephone System within Grant County to be funded by a charge of up to 5% of the basic telephone tariff rate approved by the Arkansas Public Service Commission

OR;

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Against 9-1-1 Emergency Telephone System within Grant County to be funded by a charge of up to 5% of the basic telephone tariff rate approved by the Arkansas Public Service Commission.

- 3) SEVERABILITY CLAUSE. 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 the other provisions or applications 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 to be severable.
- 4) REPEALER. Any ordinance in conflict with this Ordinance is hereby repealed.
- 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. 1993-004](#), passed 05-17-1993)

Flooding

§ 290.00 FLOOD DAMAGE PREVENTION PROGRAM.

- 1) FLOOD DAMAGE PREVENTION REGULATORY CODE ADOPTED BY REFERENCE. There is hereby adopted by reference a flood damage prevention regulatory code for Grant County, Arkansas, such flood damage prevention regulatory code having been delegated by the legislature of the State of Arkansas and set forth in Arkansas Statutes Sections 21-1901 through 21-1904 (Act 629 of 1969). A copy of the referenced regulatory 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. The code shall include the following articles:

ARTICLE 1. Statutory authorization, findings of fact, purpose and methods

ARTICLE 2. Definitions

ARTICLE 3. General provisions

ARTICLE 4. Administration

ARTICLE 5. Provision for flood hazard reduction

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- 2) Any person or corporation who violates any measure adopted under this Code may be fined not more than one hundred dollars (\$100.00) for each offense. Each day during which such violations exists is a separate offense.
- 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. 1989-004](#), passed 08-21-1989)

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Article VI. COUNTY FUNDS AND FEES

Section

- 295.00 Marriage license fees.
- 295.01 Drug enforcement fund.
- 295.02 Emergency medical services tax fund.
- 295.03 County general reserve fund.
- 295.04 IECGP planning grant fund.
- 295.05 Homeland security 2009 SHSGP fund.

§ 295.00 MARRIAGE LICENSE FEES.

- 1) The Quorum Court of Grant County, Arkansas, in regular meeting assembled does now hereby levy an additional five dollars (\$5.00) on all marriage licenses sold in Grant County.
([Ord. 1989-002](#), passed 05-15-1989)

§ 295.01 DRUG ENFORCEMENT FUND.

- 1) The Quorum Court of Grant County hereby establishes a drug enforcement fund for the Grant County Sheriff's Department. This fund shall be administered by the County Sheriff in accordance with the provisions of Act 362 of 1997. All funds shall initially be deposited at a bank located in the county of Grant County, Arkansas and authorized by law to receive the deposit of public funds.
- 2) The source of all funds deposited in the drug enforcement fund shall be funds appropriated by the Quorum Court. The initial funding and any subsequent reimbursements to the drug enforcement fund shall be appropriated by the Quorum Court and subject to the normal disbursement procedures required by law. No funds from other sources, including seized property, shall be deposited into the drug enforcement fund.
- 3) Drug enforcement funds may only be used for direct expenses associated with the investigation of criminal drug laws of this State, such as but not limited to: the purchase

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of evidence, payment of informants, travel expenses, etc. These funds may not be used for equipment purchases, salaries, professional services, training or any other purpose not directly related to a criminal drug investigation. These funds may not be used for administrative costs associated with the Sheriff's office.

- 4) The County Judge of Grant County must approve a county claim for the initial establishment of the drug enforcement fund. The drug enforcement fund may be replenished upon presentation and approval of a claim as provided in the normal county disbursement procedures. The total amount of funds held in the drug enforcement fund bank account and cash funds held by the Sheriff's office shall not exceed the maximum amount established by the Quorum Court.
- 5) Accounting records shall be maintained by the Sheriff's office for the receipt, disbursement, accounting, and documentation of funds according to the written procedures established by the legislative audit.
- 6) The Quorum Court of Grant County hereby establishes a drug enforcement fund and sets the amount at \$2500.00 subject to replenishment upon depletion.
([Ord. 1997-007](#), passed 09-15-1997)

§ 295.02 EMERGENCY MEDICAL SERVICES TAX FUND.

- 1) That the following special fund be authorized in accordance with the state law for the specific purposes set forth hereto:

Emergency Medical Services Tax-Fund 88

Establishing as a result of special election called for by the Grant County Quorum Court (Grant County Ordinance No. 2008-02) for the levy of one quarter of one percent (.25%) county-wide sales tax for the purpose of subsidizing emergency medical services. Disbursement (distribution) of monies in said fund shall be at the discretion of the Grant County Quorum Court.

- 2) That any conflicting part(s) of previous Ordinances, Resolutions, or County Court Orders with this Ordinance, are hereby repealed to the degree of conflict; the remaining and/or additional material of said previous Ordinance, Resolutions, or County Court Orders shall remain unaffected by this Ordinance.
- 3) SEVERABILITY CLAUSE. 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 the other

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provisions or applications 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 to be severable.

- 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. 2009-002](#), passed 03-16-2009)

§ 295.03 COUNTY GENERAL RESERVE FUND.

- 1) That the following special fund be authorized in accordance with state law for the specific purposes set forth hereto:

County General Reserve Fund- 9000

Establishing for the purpose of setting aside funds for buildings and/or remodeling projects. Disbursement (distribution) of monies in said fund shall be at the discretion of the Grant County Quorum Court.

- 2) REPEALER. Any ordinance in conflict with this Ordinance is hereby repealed.
- 3) SEVERABILITY CLAUSE. 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 the other provisions or applications 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 to be severable.
- 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. 2009-004](#), passed 07-20-2009)

§ 295.04 IECGP PLANNING GRANT FUND.

- 1) That the following Special Fund be authorized in accordance with state law for the specific purposes set forth hereto:

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IECGP Planning Grant Fund 2009-9100

This fund is established to properly account for the 2009 planning grant funds received from the Arkansas Department of Emergency Management.

- 2) That any conflicting part(s) of previous Ordinances, Resolutions or County Court Orders with this Ordinance are hereby repealed to the degree of conflict; the remaining and/or additional material of said previous Ordinances, Resolutions or County Court Orders shall remain unaffected by this Ordinance.
- 3) SEVERABILITY CLAUSE. 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 the other provisions or applications 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 to be severable.
- 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. 2009-005](#), passed 07-20-2009; Am. [Ord. 2010-006](#), passed 05-18-2010)

§ 295.05 HOMELAND SECURITY 2009 SHSGP FUND.

- 1) That the following special funds be authorized in accordance with state law for the specific purposes set forth hereto:

Homeland Security 2009 SHSGP Fund-9200

This fund is established to properly account for the 2009 SHSGP Grant Funds received from the Arkansas Department of Emergency Management.

Homeland Security 2009 LETPP Fund-9300

This fund is established to properly account for the 2009 LETPP Grant Funds received from the Arkansas Department of Emergency Management.

- 2) That any conflicting part(s) of previous Ordinances, Resolutions or County Court Orders with this Ordinance are hereby repealed to the degree of conflict; the remaining and/or additional material of said previous Ordinances, Resolutions or County Court Orders shall remain unaffected by this Ordinance.

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- 3) SEVERABILITY CLAUSE. 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 the other provisions or applications 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 to be severable.
- 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. 2011-003](#), passed 03-24-2011)

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