

MONROE COUNTY CODE OF ORDINANCES
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Chapter 2: ADMINISTRATION

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Article I. QUORUM COURT

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

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

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

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

(a) TIME AND PLACE OF QUORUM COURT ASSEMBLY.

(1) (A)(i) The justices of the peace elected in each county shall assemble and organize as a county quorum court body on the first regular meeting date after the beginning of the justices' term in office.

(ii) Alternatively, the county judge may schedule the biennial meeting date of the quorum court on a date in January other than the first regular meeting date of the quorum court after the beginning of the justices' term.

(B) Thereafter, the justices shall assemble each calendar month at a regular time and place as established by ordinance and in their respective counties to perform

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

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

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

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

(B) If an emergency exists, written notice of at least twenty-four (24) hours stating the basis of the emergency shall be provided.

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

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

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Section

200.00 Organizational ordinance.

200.01 Waiver of publication of ordinances and resolutions for a specific time period.

200.02 Juror Pay.

200.03 Regular meeting time of the Quorum Court.

§ 200.00 ORGANIZATIONAL ORDINANCE.

- 1) **PROCEDURAL RULES.** In the absence of specific rules of procedure, as set in this Procedural Ordinance, the rules of procedure for transacting business at all regular and special sessions of the Quorum Court shall be Robert’s Rules of Order, Newly Revised, except the Clerk shall commence a roll call vote with a different member of the Quorum Court on a rotating basis.

The County Clerk shall serve as Secretariat to the Quorum Court and shall perform all administrative and record keeping duties of the Secretariat of the Quorum Court.

The Secretariat of the Quorum Court shall keep written minutes that include the final vote on each Ordinance or resolution, indicating the vote of each individual member.

- 2) **RECORDING OF ORDINANCES AND RESOLUTIONS.**

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

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all Ordinances and Resolutions by subject, register, number, and date enacted. Such permanent record may be by book and page.

3) AGENDA.

- a) All regular and special meetings of the Quorum Court shall include a written Agenda, which shall be prepared by the County Clerk to include the information as hereinafter set forth. The format of the said Agenda is attached as Appendix A to this Ordinance.
- b) It shall be the sole responsibility of the County Judge to prepare the Agenda and submit the same to the County Clerk for distribution of the Agenda of the Quorum Court to its members and other interested citizens. Any items submitted to the County Judge for submission on the Agenda must be submitted in writing no later than ten (10) days prior to the regularly scheduled meeting. The name of the sponsor of each Agenda item shall be attached to the Ordinance or Resolution before it is placed on the Agenda. A member of the Quorum Court must sponsor any Ordinances that are submitted. A packet containing items that have been placed on the Agenda shall be delivered to the Quorum Court members and other interested individuals no later than Wednesday prior to the regularly scheduled meeting and also posted prominently in the courthouse no later than the Friday prior to the regularly scheduled meeting.
- c) Three (3) members of the Quorum Court and the County Judge may jointly submit items after the Agenda closes, if it is considered to be in the best interest of the County.

4) REGULAR MEETINGS.

- a) The Quorum Court of Monroe County, Arkansas, shall hereafter hold its regular meeting on the second Monday of each month beginning at 6:00 p.m., at the Monroe County Maintenance Office, 717 North 11th (Arkansas Highway 302), Clarendon, Arkansas.
- b) Attendance by the Justices at the regular meetings of the Quorum Court is mandatory. Notwithstanding the conditions as set forth in A.C.A. §§ 14-14-1308 – 1311 for removal from office, if a Justice is absent from three (3) consecutive regular meetings, or a total of six (6) regular meetings during a calendar year, except when prevented to attend by sickness or excused by the Court through resolution, the Court may declare the Township office vacant as provided by law.
- c) When a regular meeting of the Quorum Court falls on a recognized County holiday, the meeting shall be held at the same time and place on the next

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following Monday. All regular meetings of the Quorum Court shall conform to the Arkansas Freedom of Information Act and all other State laws.

- d) In the event of inclement weather, illness, or public emergency, the County Judge shall be authorized to postpone the regular meeting of the Quorum Court by declaring a postponement by Executive Order. Thereafter the County Judge shall contact all members by telephone, facsimile, or e-mail at least two (2) hours prior to the regular meeting time. Likewise, notice shall also be given by the County Judge to all persons who are required to be in attendance at the meeting as well as news media or other persons who have requested notification of those meetings. The postponement shall be for no more than seven (7) calendar days. The County Judge shall present a signed Order stating the nature or reason of the postponement at the subsequent meeting which shall become a part of the record of the proceedings of the Quorum Court.
- e) Each regular or special meeting of the Quorum Court shall include a time for public comment at the conclusion of the business presented at that meeting. Comments from the public at the end of the meeting shall be restricted to subjects where the Quorum Court has responsibility and authority. Public comments shall not be required to be recorded by the Secretariat as a part of the minutes of the meeting of the Quorum Court.

5) SPECIAL MEETINGS.

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

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- d) Notice of a special meeting of the Quorum Court called by a majority of the Justices of the Peace shall be accomplished by one (1) member of the majority notifying the County Clerk, in writing, if time permits. In addition to the information specified in subsection (a), 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, in writing if time permits, and giving due public notice.
 - e) 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) hours' notice should therefore be resorted to only under extreme and unusual circumstances.
 - f) All special meetings of the Quorum Court or any of its committees shall be in conformance with the Arkansas Freedom of Information Act and all other state laws.
- 6) PUBLIC NOTIFICATION OF MEETINGS; NOTIFICATION OF MEETING COMMITTEES. In addition to all other duties required by law, the County Clerk shall be responsible for giving the public notification required by the Arkansas Freedom of Information Act of regular and special meetings of the Quorum Court and committees thereof. Committee chairpersons shall give the County Clerk notice of meetings of their committees in sufficient time for compliance with public notification of such meetings as required by law.
- 7) ATTENDANCE AT MEETINGS BY COUNTY TREASURER.
- a) In addition to all other duties required by law, the County Treasurer shall attend all regular meetings of the Quorum Court for the purpose of responding to any questions which may arise concerning the financial statement required to be submitted monthly to the Quorum Court by the County Treasurer.
 - b) In addition to all other duties required by law, the County Treasurer shall attend all special meetings of the Quorum Court where members of the Quorum Court or the County Judge deem such attendance necessary. Timely notice of such need for the attendance shall be furnished the County Treasurer giving the purpose for which attendance is required.
- 8) ATTENDANCE AT MEETINGS BY COUNTY SHERIFF.

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- a) In addition to all other duties required by law, the County Sheriff, or his designated Deputy, shall attend all regular meetings of the Quorum Court for the purpose of responding to any questions which may arise concerning the reports required to be submitted monthly to the Quorum Court by the County Sheriff concerning the operations of the County's law enforcement offices and Detention Center.
 - b) In addition to all other duties required by law, the County Sheriff, or his designated Deputy, shall attend all regular or special meetings of the Quorum Court and shall serve as Bailiff and Sergeant at Arms during the course of the meeting of the Quorum Court. In such capacity, the Sheriff, or his duly authorized Deputy, shall be authorized to remove disorderly, violent, or disruptive persons from the meeting at the discretion of the County Judge, or the person serving as Chair of the meeting.
- 9) ATTENDANCE AT MEETINGS BY ALL OTHER COUNTY ELECTED OFFICIALS. All other County Elected Officials are encouraged to attend all regular meetings or special meetings of the Quorum Court for the purpose of remaining informed as to the operations of the County.
- 10) COMMITTEES.
- a) **Definitions.**
 - i) Wherever the term *standing committee* is used in this section, it shall mean a committee of the Quorum Court, constituted to perform in a continuing function and intended to remain in existence.
 - ii) Wherever the term *special committee* is used, it shall mean a committee of the Quorum Court constituted to complete a specified assignment to be dismissed upon completion of this task.
 - iii) Wherever the term *committee* or *committees* is used, it shall mean both standing and special committees of the Quorum Court.
 - b) **Standing Committees Enumerated.** There are hereby established the following Standing Committees of the Quorum Court:
 - Budget and Finance
 - Personnel and Operations
 - c) **Composition.** Each committee shall consist of not less than three (3) or more than five (5) members.

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- d) **Appointments.** In accordance with A.C.A. § 14-14-703 or other state law, the County Judge shall appoint all standing and special committees of the Quorum Court. The County Judge may appoint non-Quorum Court members to any committee, except the Budget and Finance Committee, as a non-voting member.
 - e) **Terms of Members.** The length of membership for each committee member shall coincide with the Justice's term of office. The County Judge or his/her designated agent shall be an ex-officio member of each standing or special committee. The Treasurer, or his or her designated agent, shall be an ex-officio member of the Budget and Finance Committee.
 - f) **Election of Chairpersons.** Committee chairpersons shall be elected by each individual committee, provided that no Justice may serve as the chairperson of more than one (1) standing committee. The term of office of chairpersons shall be one (1) year, but a chairperson may be selected to serve successive terms.
 - g) **Calling of Meetings.** Committees shall meet at the call of the chairperson or any two (2) committee members.
 - h) **Nature of Meetings; Notice.** All committee meetings shall be open and public. Representatives of the media shall be given at least two (2) hours' notice of all meetings.
 - i) **Reports.** Each committee shall periodically report its progress, findings, and recommendations to the Quorum Court during regular or special meetings. The formal committee report in the regular or special session of the Quorum Court shall provide opportunity for both a majority and a minority report, if and when such situation exists.
 - j) **Minutes.** Each committee shall require written minutes of the actions taken in such meeting. Copies of committee meeting minutes shall be sent to the County Judge and shall be included in Quorum Court meeting packets at the next regular meeting following the Committee meeting.
 - k) **Appointment of Additional Committees.** The County Judge, in accordance with A.C.A. § 14-14-703 or other state law, may appoint other standing and special committees which shall function in accordance with the procedures as set forth in this section.
- 11) **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 other provisions or applications of the Ordinance which can be given effect without the invalid

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provision or application, and to this end the provisions of this Ordinance are declared to be severable.

12) REPEALER. All Ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

13) 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. 2012-437](#), passed 1-9-12; Am. [Ord. 2013-456](#), passed 2-11-13; Am. [Ord. 2013-460](#), passed 9-9-13; Am. [Ord. 2015-477](#), passed 2-9-15)

§ 200.01 WAIVER OF PUBLICATION OF ORDINANCES AND RESOLUTIONS FOR SPECIFIC TIME PERIOD.

1) The requirements of publication of Ordinances and resolutions within fifteen (15) days of their passage be waived on those Ordinances and resolutions passed by the Monroe County Quorum Court between January 3 and February 7, 1977, and those Ordinances and resolutions shall be in full force and effect.

2) It is therefore determined that an emergency exists and that this Ordinance will be in full force and effect from the moment of its passage by a majority of the Monroe County Quorum Court.

([Ord. 1977-006](#), passed 3-21-77)

§ 200.02 JUROR PAY.

1) Any person who receives official notice that he or she has been selected as a prospective juror and who actually appears at the location to which he or she was summoned, and who is excused or otherwise not selected and seated as a member of a grand jury or petit jury, shall be provided per diem compensation in the amount of twenty-five dollars (\$25.00).

([Ord. 2007-383](#), no passage date)

§ 200.03 REGULAR MEETING TIME OF THE QUORUM COURT.

1) REGULAR MEETINGS.

a) The Quorum Court of Monroe County, Arkansas, shall hold its regular meeting on the second Monday of each month beginning at 6:00 p.m., at the Monroe County Maintenance Office, 717 North 11th (Arkansas Highway 302), Clarendon, Arkansas.

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- 2) REPEALER. All other ordinances, not modified by this Amendment, shall remain in full force and effect.
([Ord. 2018-507](#), passed 1-8-2018)

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Article II. COUNTY OFFICERS AND PERSONNEL

A.C.A. § 14-14-603. Offices included.

- (a) Within the purposes of this chapter, the term “elective county office” shall mean any office created under the provisions of Arkansas Constitution, Article 7 §§ 19 and 46, as amended by Amendment 24, § 3.

- (b) The elective county offices established by these constitutional provisions are:
 - (1) One (1) sheriff who shall be ex officio collector of taxes, unless otherwise provided by law;
 - (2) One (1) collector of taxes, where established by law;
 - (3) One (1) assessor;
 - (4) One (1) coroner;
 - (5) One (1) treasurer, who shall be ex officio treasurer of the common school fund;
 - (6) One (1) surveyor;
 - (7) One (1) clerk of the circuit court, who shall be ex officio clerk of the county and probate courts and recorder, unless otherwise provided by law; and
 - (8) One (1) county clerk, where established by law.

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

Offices expressly excluded from the provisions of this subchapter are:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

. . . .

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

. . . .

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

Section

220.00 Transfer of tax duties and functions from the County Clerk to the offices of the County Assessor and County Collector.

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220.01 Sheriff as the official responsible for collecting any monetary penalties assessed upon defendants in the State, Circuit and District Courts.

220.02 Sheriff required to submit written monthly reports of tax collections, jail expenses, and vehicle expenses to Quorum Court.

220.03 District Court Clerks of Brinkley and Clarendon Divisions to collection monetary penalties assessed upon defendants in district court.

§ 220.00 TRANSFER OF TAX DUTIES AND FUNCTIONS FROM THE COUNTY CLERK TO THE OFFICES OF THE COUNTY ASSESSOR AND COUNTY COLLECTOR.

- 1) The Monroe County Quorum Court hereby designates and appoints the Assessor of Monroe County as the appropriate officer to be responsible for keeping the assessment records, extending all ad valorem taxes, making all Board of Equalization adjustments, and assuming all duties and responsibilities relating to same by use of electronic data processing equipment.
- 2) The Monroe County Quorum Court hereby designates and appoints the Monroe County Tax Collector as the appropriate officer to be responsible for preparing the tax books, extending all special improvement levies, preparing the real and personal property tax statement, and assuming all duties and responsibilities of the collection of taxes heretofore maintained in the records of the County Clerk, and all tax records of the County Clerk and all duties and responsibilities relating to the records, including the delinquent tax records, are hereby transferred to the Office of the Monroe County Tax Collector.
- 3) Annual reports, proofs of publication, copies of tax distribution settlements, and other related reports required by law shall be filed in the office of the County Clerk of Monroe County. Furthermore, a list of delinquent lands shall be maintained in the Collector's office and the Collector will certify to the County Clerk that these records are available to the public for review and inspection.
- 4) The hereinabove described appointments and transfers of duties and responsibilities shall be effective immediately.
- 5) SEVERABILITY CLAUSE. If any part of this Ordinance is held to be invalid, such invalidity shall not affect the validity of any other provision of this Ordinance.
- 6) REPEALER. All laws and parts of laws in conflict with the provisions of this Ordinance are hereby repealed.

([Ord. 1987-086](#), passed 3-9-87; Am. [Ord. 1997-241](#), passed 5-12-97)

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§ 220.01 SHERIFF DESIGNATED AS THE OFFICIAL RESPONSIBLE FOR COLLECTING ANY MONETARY PENALTIES ASSESSED UPON DEFENDANTS IN THE STATE, CIRCUIT, AND DISTRICT COURTS.

- 1) A.C.A. § 16-13-709 requires the Quorum Court of each County of this state to designate a County official who shall be primarily responsible for the collection of fines, court costs, restitution, probation fees, or any other monetary penalties assessed upon defendants in the State, Circuit, and District Courts of this state.
- 2) The Monroe County Quorum Court does hereby designate the Monroe County Sheriff as the County official who shall be primarily responsible for the collection of fines, court costs, restitution, probation fees, or any other monetary penalties assessed upon defendants in the State, Circuit, and District Courts of this state.
([Ord. 2001-306](#), passed 6-11-01)

§ 220.02 SHERIFF: MONTHLY REPORTS OF TAX COLLECTIONS, JAIL EXPENSES, AND VEHICLE EXPENSES TO QUORUM COURT.

- 1) The Monroe County Sheriff shall submit a written monthly report to the Secretariat of the Monroe County Quorum Court on or before the 5th day of each month from the passage of this Ordinance.
- 2) The aforesaid written monthly report shall be consistent with accepted accounting procedures and shall include the following information for the preceding month, to-wit:
 - a) Vehicle taxes collected and citations issued;
 - b) County jail prisoner population, including a separation of days served by County and city prisoners;
 - c) County jail food costs; and
 - d) Mileage for each County patrol vehicle.
- 3) EMERGENCY CLAUSE. It is hereby determined by the Monroe County Quorum Court that an emergency exists and this Ordinance shall be in full force and effect from the date of its passage.
([Ord. 1982-039](#), passed 1-11-82)

§ 220.03 DISTRICT COURT CLERKS OF BRINKLEY AND CLARENDON DIVISIONS TO COLLECT MONETARY PENALTIES ASSESSED UPON DEFENDANTS IN DISTRICT COURT.

- 1) A.C.A. § 16-13-708 (2) (A) (i) and 16-13-709 (C) (i) requires the quorum court of each county of this state to designate an official who shall be primarily responsible for the

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collection of fines, courts costs, restitution, probation fees, delinquent fines or any other monetary penalties assessed upon defendants in the state or county division of district courts.

- 2) a) The Monroe County Quorum Court does hereby designate the Court Clerk of Brinley Division of the Monroe County District Court as the official who shall be primarily responsible for the collection of fines, court costs, restitution, probation fees, delinquent fines, or any other monetary penalties assessed upon defendants for state or county cases in the Brinkley Division of Monroe County District Court.
 - b) The Monroe County Quorum court does hereby designate the Court Clerk of Clarendon Division of the Monroe County District Court as the official who shall be primarily responsible for the collection of fines, court costs, restitution, probation fees, delinquent fines, or any other monetary penalties assessed upon defendants for state or county cases in the Clarendon Division of Monroe County District Court.
- 3) EMERGENCY CLAUSE. It is hereby determined this Ordinance is necessary for the preservation of the public health, safety, and welfare, in order to continue the expedient and efficient operations of the District Courts in Monroe County, Arkansas and should therefore be effective immediately upon its passage.
([Ord. 2017-500](#), passed 3-13-2017)

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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

240.00 Monroe County Depository Board.

240.01 White River Basin Commission.

240.02 South Monroe County Ambulance Service Commission.

240.03 County Jail Board.

240.04 Monroe County Board of Service to Citizens with Disabilities.

§ 240.00 MONROE COUNTY DEPOSITORY BOARD.

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- 1) There is hereby established the Monroe County Depository Board to be composed of the County Judge, the County Treasurer, and the Sheriff.
- 2) The Board shall designate depositories and supervise the depositing of all County funds and all other public funds held by the County Treasurer, except funds of a school district, and shall also designate depositories and supervise the depositing of all funds collected and held by the County Collector. The Board may also require County officials to settle with the County Treasurer more frequently than required by Arkansas law. As used in this Act, the term “depositories” shall mean those institutions that have been approved for the deposit of public funds in accordance with the provisions of Section 1 of Act 21 of 1935. (A.C.A. § 19-8-105).
- 3) County officials are required to make timely investment of public funds in order to earn optimum interest consistent with the prudent man rule for investments as defined by Arkansas law.
- 4) County officials may require the collateralization for the deposit or investment of public funds for amounts not fully insured directly by the United States of America. Public officials may use their awareness of the financial condition of depository institutions being considered for deposits and they may require as a condition for placing deposits or keeping funds on deposit such financial data as they need so as to make informed decisions including, but not limited to, quarterly financial statements, quarterly profit and loss statements, and tangible net worth (capital) to assets ratios.
- 5) SEVERABILITY CLAUSE. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of the Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are declared to be severable.
- 6) PENALTY. Willful failure to comply with the provisions of this Ordinance shall be punishable by a fine of not less than fifty dollars (\$50.00) or more than two hundred fifty dollars (\$250.00) for each violation, such penalty to be imposed by a simple majority vote of the Quorum Court. Provided, the person or persons against whom a violation is alleged shall be notified by certified mail of the hearing and may present such evidence he deems necessary in his defense. Each day a person willfully fails to comply with this Ordinance shall be deemed a separate offense.
- 7) EMERGENCY CLAUSE. An emergency is hereby declared to exist and this Ordinance, being immediately necessary for the protection of the public peace, health, and safety, shall take effect immediately upon its passage and approval.
([Ord. 1987-089](#), passed 8-10-87)

§ 240.01 WHITE RIVER BASIN COMMISSION.

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- 1) The Monroe County White River Basin Commission is hereby created and established.
- 2) The County Judge of Monroe County is hereby authorized and directed to appoint three (3) persons to the said Commission for the purpose of gathering facts and data concerning future planning for water resource matters.
- 3) That the members appointed by the County Judge as White River Basin Commissioners be approved, confirmed, and ratified by the Monroe County Quorum Court.
- 4) That the County Judge shall be the Chairman of the said Commission and an ex-officio officer member of the said Commission.
- 5) That the Monroe County White River Basin Commission is hereby authorized and directed to participate in the creation and establishment of a multi-County fact finding organization composed of interested Counties located in the White River Basin area; that the County Judge of Monroe County or his designated representative shall have the right to vote on behalf of the Monroe County White River Basin Commission at all meetings and functions of the said multi-County organization.
- 6) That the Monroe County White River Basin Commission is hereby ordered and directed to report back to the Monroe County Quorum Court for action which may be necessary as facts are developed and circumstances warrant.
- 7) Because of the crisis situation surrounding water resources and rights in this area, it is therefore determined that an emergency exists and that this Ordinance will be in full force and effect from the moment of its passage by a majority of the Monroe County Quorum Court.

[Ord. 1981-031](#), passed 3-9-81)

§ 240.02 SOUTH MONROE COUNTY AMBULANCE SERVICE COMMISSION.

- 1) The South Monroe County Ambulance Commission (the “Commission”) is hereby created in the manner and for the purposes set forth herein below.
- 2) The Commission shall be composed of six (6) members to be appointed and confirmed as follows:
 - a) The County Judge shall appoint five (5) commissioners who shall be confirmed by a two-thirds (2/3) vote of the Quorum Court. The commissioners shall serve three (3) year staggered terms of office with each expiring term to expire on the 31st day of December in the year of expiration, or until his successor is duly selected or appointed and qualified. Provided, however, that the initial commissioners shall determine by lot their respective staggered terms in such a manner that one (1) commissioner’s term shall expire one (1) year thereafter, two

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(2) commissioners' terms shall expire two (2) years thereafter, and two (2) commissioners' terms shall expire three (3) years thereafter. Upon the expiration of a commissioner's term, the person appointed to fill the vacancy shall be appointed for a term of three (3) years.

- b) The commissioners shall be selected from legislative bodies, professions, or at-large as follows:
 - i) One (1) commissioner from the City Council of Clarendon;
 - ii) One (1) commissioner from the City Council of Holly Grove;
 - iii) One (1) commissioner from the City Council of Roe;
 - iv) One (1) commissioner from the medical profession; and
 - v) One (1) commissioner from the general population.

Provided, however, that no member of the commission shall be an employee or relative of an employee of the County.

- c) Any commissioner may be removed for cause upon a two-thirds (2/3) vote of the Monroe County Quorum Court. Cause for removal under this section means any act of commission or omission that, considered in its relation to the duty involved, would stamp the person in question as unfit to occupy the position and whose conduct has become inimical to the public welfare.
 - d) Any vacancy occurring on the commission shall be filled in the same manner provided above for appointment.
 - e) The County Judge shall be the sixth member of the commission and shall act as Chairman at all meetings. Although he shall not have voting powers as the other commissioners, he shall have a veto power over all decisions of the Commission. Provided, however, his veto may be overridden by a 2/3rd vote of the Commission. Nothing in this Ordinance shall take away from the general powers of the County Judge as provided by law and any part of this Ordinance that is in conflict with existing law is hereby repealed.
- 3) The commissioners hereinabove appointed shall have full and complete authority to manage, operate, improve, extend, and maintain the South Monroe County Ambulance Service, and shall have full and complete charge of said service, it being the intention of this Ordinance to vest in said commission unlimited authority to operate, manage, maintain, and improve said ambulance service and to have full and complete charge thereof. Provided, said commissioners shall not have authority or power to sell, mortgage,

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or encumber said ambulance service or its equipment without prior approval of the Monroe County Quorum Court.

- 4) The commissioners shall submit an annual operating budget to the Monroe County Court for approval setting forth therein anticipated revenues and expenses for the subsequent year of operation. The Quorum Court shall have the power to accept or reject the proposed budget in whole or in part.
- 5) The commissioners shall adopt such rules and regulations as they may deem necessary and expedient for the proper operation and management of said ambulance service, and shall have authority to alter, change, or amend such rules and regulations at their discretion. They shall submit monthly reports and annual audits of operations to the County Judge and the Monroe County Quorum Court and furnish such other and further reports, data, and information as may be requested from time to time by the County Judge and Monroe County Quorum Court. The commissioners shall meet at least monthly and keep a record of such meetings on file with the County Clerk.
- 6) EMERGENCY CLAUSE. It is found to be a fact that the health and safety needs of the citizens of Monroe County are adversely affected by the absence of a South Monroe County Ambulance Commission, and that the Commission will be of great benefit to the public health and welfare, and an emergency is hereby created and is declared and this act, being necessary for the immediate preservation of the public peace, health, safety, and welfare, shall be in force from and after its passage.
([Ord. 1985-061](#), passed 1-14-85)

§ 240.03 COUNTY JAIL BOARD; ADDITIONAL \$10.00 COURT COST.

- 1) In accordance with the provisions of A.C.A. § 12-41-617, as amended by Act 96 of the 1989 Arkansas General Assembly, there is hereby levied, in addition to court costs now charged, an additional court cost in the amount of ten dollars (\$10.00) for persons convicted of felonies and misdemeanors arising from County and State criminal charges only, and for persons committed to the County jail in the Circuit Court, Chancery Court, Probate Court, Municipal Courts, City Courts, Police Courts, and Mayor's Courts in the County.
- 2) All fees collected under the provisions of this Ordinance shall be credited by the County Treasurer to the County General Fund and separated into a special account to be used exclusively for furnishing, repairing, maintenance, operation, and construction of the County jail.
- 3) There is hereby established the Monroe County Jail Board which shall be comprised of five (5) members as follows: the County Judge, the County Sheriff, and three (3) Quorum Court members to be selected by the Quorum Court by majority vote, each Quorum

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Court member so selected to serve one (1) year terms unless reappointed by the Court. The Quorum Court members shall be selected at the first regular meeting of the Court in each year. Should any Quorum Court member be unable or unwilling to fulfill his or her term, the Court shall select a replacement to complete the term.

- 4) Expenditures from the special account described above shall be by appropriation as required by law. The County Jail Board shall present a budget for this account each year which shall be considered by the Quorum Court. The special account described herein is intended to supplement other necessary expenditures for the jail's operation and is not to be considered the exclusive source of revenue for the operation of the jail.
- 5) REPEALER. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.
- 6) EMERGENCY CLAUSE. It is hereby found and declared by the Quorum Court of Monroe County, Arkansas, that due to the increased cost of operating the Monroe County Detention Center, Monroe County is faced with insufficient revenues to offer necessary services to its citizens; that this Ordinance will provide the County with an optional source of revenue collection of the additional costs; and that the immediate passage of this Ordinance is necessary to insure that necessary services are not interrupted. Therefore, an emergency is hereby declared to exist and this Ordinance, being necessary for the preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.
([Ord. 1989-113](#), passed 7-10-89)

§ 240.04 MONROE COUNTY BOARD OF SERVICE TO CITIZENS WITH DISABILITIES.

- 1) The Monroe County Quorum Court hereby established the Monroe County Board of Service to Citizens with Disabilities.
- 2) The general purposes of this Board are to oversee County compliance with the Americans with Disabilities Act (ADA), provide an opportunity to individuals with disabilities to voice concerns and actively aid the County in meeting compliance goals, and recommend ADA compliance plans to the Monroe County Quorum Court for final approval.
- 3) The Board of Service to Citizens with Disabilities shall be comprised of the following:
 - a) County Judge, who shall serve as Chairman;
 - b) County ADA Coordinator;
 - c) One disabled citizen of the County to be appointed by the Chairman;
 - d) The County Sheriff as Administrator of the County Jail;

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- e) The Chairman of the County Board of Election Commissioners, or their designee;
 - f) Two (2) citizens of the County to be appointed by the Quorum Court.
- 4) The County ADA Coordinator shall be appointed by the Board and shall serve as liaison between the County and the public. The Coordinator shall oversee the investigation of complaints and receive complaints. The County shall provide the Coordinator's name, address, and telephone number to the public.
- 5) As soon as possible, the Board shall adopt an ADA Grievance or Complaint Procedure and public information regarding compliance.
[\(Ord. 1997-236](#), passed 3-10-97)

Article IV. COUNTY POLICIES.

Section

General Policies

260.00 County maintained inventory list; personal property in excess of \$1,000.

260.01 Designation of maintenance, repairs, and improvements to buildings, machinery, and equipment belonging to the County; hauling or transportation of gravel, sand, rock, or other materials used.

Employee / Employment Policies

260.25 Reimbursement for use of personal vehicles in the execution of Monroe County business.

260.26 Prohibition of nepotism in Monroe County government.

260.27 Longevity bonuses for county elected officials.

260.28 Advertisement inviting anyone to submit their resume if interested in county employment for future positions.

260.29 Model employment policy for "at will" county employment.

260.30 Per diem compensation for Justices of the Peace for attendance at and travel to meetings.

260.31 Employees to pay additional insurance above that currently offered.

Purchasing Policies

260.50 Conduct of business between Monroe County and certain businesses within Monroe County.

260.51 Bidding procedure for all lease or purchase agreements and purchases in excess of \$5,000; Exemptions and waiver.

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General Policies

§ 260.00 COUNTY MAINTAINED INVENTORY LIST; PERSONAL PROPERTY IN EXCESS OF \$1,000.

- 1) In accordance with A.C.A. § 14-14-1102, the County Judge's Office is responsible for the administration, custody, and care of property of the County, and as such it is necessary and appropriate for the County Judge to maintain an inventory list of all personal property belonging to Monroe County.
- 2) Each elected official of Monroe County shall maintain a written inventory of all personal property belonging to Monroe County and maintained in their separate offices. The inventory shall include all such personal property which has a value in excess of one thousand dollars (\$1,000.00). Each elected official shall submit to the Office of the County Judge a current inventory list of personal property valued in excess of one thousand dollars (\$1,000.00), on or before January 15th of each year and on or before June 15th of each year.
- 3) The Monroe County Judge's Office shall be responsible for maintaining an overall listing of County property as received from the elected officials.
- 4) This Ordinance shall become retroactive to January 1, 2013.
- 5) REPEALER. Ordinance No. 303, adopted April 9, 2001, is hereby modified and amended as herein above stated. All other provisions of the said Ordinance no. 303, not amended or modified by this Ordinance, shall remain in full force and effect.
- 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 and, to this end, the provisions of the Ordinance are declared to be severable.
- 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. 2001-303](#), passed 4-9-01; Am. [Ord. 2013-457](#), passed 2-11-13)

§ 260.01 DESIGNATION OF MAINTENANCE, REPAIRS, AND IMPROVEMENTS TO BUILDINGS, MACHINERY, AND EQUIPMENT BELONGING TO THE COUNTY; HAULING OR TRANSPORTATION OF GRAVEL, SAND, ROCK, OR OTHER MATERIALS USED.

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- 1) A.C.A. §§ 19-11-801 – 802 state that it is the policy of the State and its political subdivisions that they shall negotiate contracts for professional services on the basis of demonstrated competence and qualifications.
- 2) Said Code sections prohibit the use of competitive bidding for the procurement of professional services in order to permit more flexible procurement of such services by the political subdivisions.
- 3) Said Code sections further permit the political subdivision to identify other consulting services which are to be exempt from the requirement of competitive bidding as the political subdivision shall designate by two thirds (2/3) vote of its governing body.
- 4) The Quorum Court of Monroe County does hereby designate maintenance, repairs, and improvements to buildings, machinery, and equipment belonging to the County as a professional service which is exempt from the requirement of competitive bidding for the procurement of such services.
- 5) The Quorum Court of Monroe County does hereby further designate the hauling or transportation of gravel, sand, rock, or any other materials used to maintain, repair, and improve the County's roads as a professional service which is exempt from the requirement of competitive bidding for the procurement of such services.
- 6) All Ordinances and parts thereof in conflict herewith are hereby repealed.
- 7) This Ordinance shall be in full force and in effect from and after its date of passage.
([Ord. 1999-283](#), passed 10-11-99)

Employee / Employment Policies

§ 260.25 REIMBURSEMENT FOR USE OF PERSONAL VEHICLES IN THE EXECUTION OF MONROE COUNTY BUSINESS.

- 1) Ordinance No. 139 of the Monroe County Quorum Court, adopted 12-10-90, is hereby repealed.
- 2) Ordinance No. 307 of the Monroe County Quorum Court, adopted 8-13-11, is hereby repealed.
- 3) Subject to the provisions hereafter, the Monroe County Quorum Court does hereby adopt the rate of reimbursement approved and established by the State of Arkansas Department of Finance and Administration for reimbursement of its employees or officials, as the rate of mileage reimbursement for use of personal vehicles of the County's employees or elected officials in the conduct of business, continuing education, or travel necessary or beneficial for Monroe County.

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- a) Provided, in the sole discretion of the Monroe County Quorum Court, a lesser amount than the State's reimbursement rate may be established for travel reimbursement by County employees or officials by the adoption of a resolution of the Monroe County Quorum Court setting forth such rate.
- 4) In order to qualify for mileage reimbursement, any employee's travel and use of a personal vehicle must be pursuant to their duties as a County employee and be approved by the employee's immediate supervisor.
- 5) No mileage reimbursement shall be paid to any employee or elected official which constitutes travel from their home to their place of employment.
- 6) Should the employee's duties require traveling away from their home substantially longer than an ordinary day's work and it is necessary that they sleep or rest in order to meet the demands of their duties, then the costs of lodging and meals may be reimbursed to the employee.
 - a) Lodging and meal expense shall only be reimbursed upon approval of the employee's immediate supervisor and submission of actual receipts to indicate the expenditure. The rate of reimbursement shall be the amount established by Order of the Monroe County Judge as Judge of the County Court.
 - b) The Monroe County Quorum Court reserves the capacity to rescind any rate of reimbursement for lodging or meal expense as entered by County Court Order, by the adoption of a resolution establishing rates of reimbursement.
 - c) In lieu of reimbursement of lodging and meal expense, the Monroe County Quorum Court reserves the authority to establish payment of a per diem expense for such expenditures by the adoption of a resolution to establish per diem reimbursement.
- 7) REPEALER. All Ordinances in conflict with the provisions of this Ordinance are hereby repealed.
- 8) EMERGENCY CLAUSE. This Ordinance is necessary for the preservation of public health, safety, and welfare and the efficient and beneficial conduct of the County's business, and should therefore be effective from and after the date of its passage.
[\(Ord. 2012-446](#), passed 4-9-12)

§ 260.26 PROHIBITION OF NEPOTISM IN MONROE COUNTY GOVERNMENT.

- 1) No person shall be employed or appointed to a position with Monroe County if they are related by affinity or consanguinity within the classifications listed herein below to the elected official in whose office or department the person would be employed or the

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person employed by the County that has been granted the authority to hire employees for that particular office or department:

- a) A husband, wife, son, or daughter, or descendant of either;
 - b) A stepson or stepdaughter, or descendant of either;
 - c) A brother, sister, stepbrother, or stepsister, or brother or sister of half-blood;
 - d) A father or mother, or ancestor of either;
 - e) A stepfather or stepmother, or ancestor of either;
 - f) A nephew or niece;
 - g) An uncle or aunt; or
 - h) A son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law.
- 2) The provisions of this Ordinance will be effective as of the date of its adoption and shall not affect employees hired prior to its adoption.
 - 3) Any person who shall violate this Ordinance shall be subject to a civil penalty not to exceed the sum of one hundred dollars (\$100.00). A separate penalty shall be imposed for each day such violation is continued. Prosecution for a violation of this Ordinance may be brought in any Municipal Court within the County or the Monroe County Circuit Court, at the discretion of the Prosecuting Attorney.
 - 4) No provision of this Ordinance shall affect the County Personnel Policy, Ordinance No. 214. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.
 - 5) If any provision of this Ordinance or the application thereof to any person or circumstance is held 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 to be severable.
 - 6) Ordinance No. 249 entitled "An Ordinance to Prohibit Nepotism in Monroe County Government," dated December 8, 1997, is hereby amended as set forth herein and above. ([Ord. 1997-249](#), passed 12-8-97; Am. [Ord. 1998-253](#), passed 2-9-98)

§ 260.27 LONGEVITY BONUSES FOR COUNTY ELECTED OFFICIALS.

- 1) DEFINITIONS. For purposes of this Ordinance the following definitions shall apply:

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- a) ***Elected County Official.*** Shall mean the holders of the following elected offices in and for Monroe County, Arkansas: Treasurer, County Judge, Tax Assessor, County Clerk, Circuit Clerk, Sheriff and Collector, and Justice of the Peace.

 - b) ***Eligible Elected Official.*** Shall mean an elected County official who has served in an elected County office for a continuous period of twenty (20) years, and has resigned, retired, or whose tenure in office has otherwise been terminated, while in good standing.
- 2) Elected County Officials who have served in office for a period of twenty (20) continuous years, upon their retirement or termination in office, may be eligible for payment of a longevity bonus as provided hereinafter.

 - 3) Upon retirement, resignation, or termination of tenure in office, an Eligible Elected Official, may be eligible for payment of a longevity bonus equal to one hundred dollars (\$100.00) per year for each year of elected County service. Provided, that any longevity bonus would not result in the Eligible Elected Official's total compensation exceeding the allowable annual statutory maximum salaries for such offices as provided by the Arkansas Code in effect at the time of the retirement, resignation, or termination from office. The Quorum Court, in its sole discretion, may make adjustments to the amount of longevity bonuses if necessary to prevent compensation in excess of allowable amounts.

 - 4) At its regular meeting closest to the month of retirement, resignation, or other termination from office of an Eligible Elected Official, the Quorum Court shall make a determination that the County's financial condition is such that a longevity bonus can be paid to the Eligible Elected Official. In the event a majority of the Quorum Court determines there are not adequate funds for payment of a longevity bonus, then none shall be paid. If the Quorum Court determines there are in fact sufficient funds and the payment of a bonus would not otherwise exceed the allowable compensation to the Eligible Elected Official, then the Quorum Court shall adopt a separate appropriation Ordinance to authorize payment of a longevity bonus as provided herein above.

 - 5) In the event the Eligible Elected County Official dies in office, the Quorum Court, in its sole discretion, may determine and authorize a payment of a longevity bonus to the surviving spouse or heirs of the Elected County Official.

 - 6) Authorization for payment of a longevity bonus to any Eligible Elected Official shall be within the sole discretion of the Monroe County Quorum Court. This Ordinance shall not be construed to establish any entitlement, additional compensation, or property right for any Eligible Elected Official until such time as approved and established by the Quorum Court.

[\(Ord. 2009-398, passed 2-9-09\)](#)

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§ 260.28 ADVERTISEMENT INVITING ANYONE TO SUBMIT THEIR RESUME IF INTERESTED IN COUNTY EMPLOYMENT FOR FUTURE POSITIONS.

- 1) The Monroe County Judge is hereby directed to publish an advertisement in the newspapers of general circulation in Monroe County in January of each year advising that anyone who might be interested in employment with Monroe County may submit a resume at any time to the County Judge, and that any resume so submitted shall be considered whenever a position of employment becomes available.
- 2) The Monroe County Judge is further directed to provide a copy of any resume so submitted to all elected officials.
([Ord. 2005-344](#), passed 1-10-05)

§ 260.29 MODEL EMPLOYMENT POLICY FOR “AT WILL” COUNTY EMPLOYMENT.

- 1) The Monroe County Quorum Court hereby re-establishes a written, comprehensive employment policy to familiarize the employees with the County’s employment policies.
- 2) The general policy of Monroe County is to treat all employees and citizens in a manner that is rationally related to the effectuation of legitimate County objectives. To that end, the Monroe County Quorum Court reaffirms and re-adopts a model policy for “at will” county employment.
- 3) The attached “Monroe County Employment Policy” as amended and modified is hereby enacted and ordained.
- 4) REPEALER. All ordinances in conflict with the provisions of this Ordinance are hereby superseded.
- 5) EMERGENCY CLAUSE. It is hereby determined that the employment policies of the County Government are necessary and appropriate for the preservation and protection of the public health, safety, and welfare of the citizens of Monroe County and its employees, that an emergency is hereby declared to exist, and that this Ordinance should therefore be effective immediately upon its passage and enactment.
([Ord. 1991-152](#), passed 5-13-91; Am. [Ord. 1993-191](#), passed 12-13-93; Am. [Ord. 1995-207](#), passed 7-10-95; Am. [Ord. 1995-214](#), passed 12-11-95; Am. [Ord. 1997-238](#), passed 4-14-97; Am. [Ord. 2001-301](#), passed 2-12-01; Am. [Ord. 2001-308](#), passed 10-8-01; Am. [Ord. 2003-320](#), passed 1-13-03; Am. [Ord. 2003-326](#), passed 8-11-03; Am. [Ord. 2009-408](#), passed 10-12-09; Am. [Ord. 2012-450](#), passed 10-8-12; Am. [Ord. 2013-459](#), passed 3-11-13; Am. [Ord. 2013-459](#), passed 3-11-13)

§ 260.30 PER DIEM COMPENSATION FOR JUSTICES OF THE PEACE FOR ATTENDANCE AT AND TRAVEL TO MEETINGS.

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- 1) The per diem compensation for each day that a Justice of the Peace attends a meeting of the Quorum Court is hereby fixed at fifty dollars (\$50.00); provided further that no Justice shall be paid per diem compensation in excess of one thousand two hundred dollars (\$1,200.00) during any one (1) calendar year.
- 2) The compensation rate for travel of Justices to and from any meeting of the Quorum Court is hereby fixed at fifteen cents (15¢) per mile.
- 3) Any Justice of the Peace who may preside over a Justice Court shall receive compensation in the amount of ten dollars (\$10.00) per case.
- 4) Act 897 to 1975, Arkansas General Assembly, sets minimum and maximum per diem compensation for Justices of the Peace for attending. Compensation effective with this first meeting required to be held by law and for subsequent special and regular monthly meetings, also required by law, the Quorum Court must immediately proceed to set the compensation rates. Therefore, an emergency is hereby declared to exist and this Ordinance being necessary for the immediate preservation of the public peace, health, and safety shall be in full force and effect from after its passage and approval.
([Ord. 1977-003](#), passed 1-3-77)

§ 260.31 EMPLOYEES TO PAY ADDITIONAL INSURANCE ABOVE THAT CURRENTLY OFFERED.

- 1) Any County employees participating in a payroll deduction insurance plan in addition to those plans currently offered by the County must pay the full amount to be withdrawn from the pay and the County shall not be responsible for matching those funds with any funds from the County.
- 2) In order to allow participation in a payroll deduction insurance plan, the insuring agent must submit to the Monroe County Quorum Court a petition with the signatures of at least thirty percent (30%) of all County employees. The agent must also present at the same time proof of payment of the first month's insurance premium of those employees agreeing to participate in the plan.
- 3) An emergency is determined to exist and this Ordinance shall be in full force and effect from the date of its passage.
([Ord. 1977-008](#), passed 4-18-77)

Purchasing Policies

§ 260.50 CONDUCT OF BUSINESS BETWEEN MONROE COUNTY AND CERTAIN BUSINESSES WITHIN MONROE COUNTY.

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- 1) While no elected official or County employee has a direct interest in any of the businesses hereafter listed, in order to comply with the letter of A.C.A. § 14-14-1202, and the perception that an employee or elected official could have an indirect interest in any business, the Monroe County Quorum Court hereby determines this Ordinance should be enacted to comply with the said statute.
- 2) The Monroe County Quorum Court hereby determines it to be in the best interest of the conduct of the County's business, due to the location as well as the goods and services offered by certain businesses, the Quorum Court does hereby authorize the conduct of business between the County and the businesses hereinafter described:

Donald's Garage
CKS Electric Service
Mike Rogers Garage
K & K Trucking
Bobby Henard Tire Services, Inc.
Tri County Farmers Association, Inc.

- 3) Upon the conduct of any business between Monroe County and the businesses listed above, the County Judge shall comply with the provisions of A.C.A. § 14-14-1202, and file an affidavit with the County Clerk along with supporting documentation to verify any purchases are in compliance with this Ordinance.
- 4) EMERGENCY CLAUSE. The Quorum Court does hereby declare that an emergency exists in that this Ordinance is necessary for the continuity of services and purchase of goods for the County, and that it therefore is necessary for the preservation and protection of the health, safety, and welfare of the citizens of Monroe County, Arkansas, and should therefore be effective immediately upon its adoption by the Monroe County Quorum Court.
([Ord. 2011-428](#), passed 8-8-11; Am. [Ord. 2012-444](#), passed 3-12-12; Am. [Ord. 2012-454](#), passed 12-10-12)

§ 260.51 BIDDING PROCEDURE FOR ALL LEASE OR PURCHASE AGREEMENTS AND PURCHASES IN EXCESS OF \$5,000; EXEMPTIONS AND WAIVER.

- 1) Henceforth it shall be unlawful for any County official to make any purchase with County funds in excess of five thousand dollars (\$5,000.00) unless the method of purchasing prescribed in A.C.A. §§ 14-22-101 – 106 is followed.
- 2) This Ordinance shall apply to all lease or purchase agreements wherein the County of Monroe or any office or County official is a party, and County funds are expended for the payment of the lease and/or purchase price. This Ordinance shall apply to the purchase of services other than the personal services of elected officials, their deputies, or employees.

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- 3) This Ordinance shall not apply to any purchases under five thousand dollars (\$5,000.00) or the purchase of any commodity set forth in A.C.A. § 14-22-106. In addition, this Ordinance shall not apply to the purchase of or payment for:
- a) Salaries paid to elected officials, their deputies, or employees for personal services;
 - b) Payments for legal services;
 - c) Payments for architectural services;
 - d) Payments for engineering services;
 - e) Payments for land surveying services; or
 - f) Any purchase whereby the bidding procedure has been duly waived by Ordinance as provided in A.C.A. § 14-58-303(b).
- 4) Any person or official who intentionally violates the provisions of this Ordinance shall, upon conviction, be fined in any amount not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1,000.00). In addition thereto, he or she may be removed from his or her office or position of employment with the County.
- 5) EMERGENCY CLAUSE. It is hereby found and declared by the Quorum Court of Monroe County, Arkansas, that it is necessary to require the bidding procedure for lease or purchase contracts and other purchases which exceed five thousand dollars (\$5,000.00). Therefore, an emergency is hereby declared to exist and this Ordinance being necessary for the preservation of the public peace, health, and safety shall be in full force and effect from and after its passage and approval.
([Ord. 1992-169](#), passed 11-9-92)

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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 Service charge on basic telephone rate for the operation of an enhanced 9-1-1 emergency telephone system.

280.01 Election to fund enhanced 9-1-1 emergency phone system.

Flooding

290.00 Establishment of a flood damage prevention program for Monroe County.

General

§ 280.00 SERVICE CHARGE ON BASIC TELEPHONE TARIFF RATE FOR THE OPERATION OF AN ENHANCED 9-1-1 EMERGENCY TELEPHONE SYSTEM.

- 1) A service charge of ten percent (10%) shall be levied on the basic telephone tariff rate approved by the Arkansas Public Service Commission on all telephone access lines of any telephone system within the boundary lines of Monroe County, Arkansas, for implementation and operation of an Enhanced 9-1-1 system serving Monroe County.
- 2) The percentage of the service charge may be modified by the Monroe County Quorum Court from time to time as necessary to fund the operation of the Enhanced 9-1-1 system by amendment to this Ordinance, or collection may be suspended for a short period of time if it is determined that adequate revenues are currently available.

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- 3) Said service charge shall be collected by any telephone service provider who provides telephone access service within the boundary lines of Monroe County, Arkansas, at such time as said service suppliers establish appropriate billing collection procedures.
- 4) Revenue collected shall be remitted by the service provider to the Monroe County Treasurer within thirty (30) days after the close of each monthly billing period. The service supplier shall be entitled to retain an amount equal to one percent (1%) thereof as an administrative fee. The total amount collected is to be handled by Monroe County in accordance with the Enhanced 9-1-1 Ordinance and finance procedures.
- 5) EMERGENCY CLAUSE. It is hereby declared that an emergency exists and this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1996-228](#), passed 12-9-96, Am. [Ord. 2002-314](#), passed 4-8-02)

§ 280.01 ELECTION TO FUND ENHANCED 9-1-1 EMERGENCY PHONE SYSTEM.

- 1) An election will be held November 5, 1996, for the purpose of approving or rejecting an Ordinance to implement enhanced 9-1-1 emergency telephone service within Monroe County.
- 2) At the election to be held on that purpose, the voters will be asked to vote upon the following question:

FOR an enhanced 9-1-1 emergency telephone system within Monroe County to be funded by a charge of up to twelve percent (12%) of the basic telephone tariff rate approved by the Arkansas Public Service Commission.

OR

AGAINST an enhanced 9-1-1 emergency telephone system within Monroe County to be funded by a charge of up to twelve percent (12%) of the basic telephone tariff rate approved by the Arkansas Public Service Commission.

- 3) SEVERABILITY CLAUSE. If any part of this Ordinance is held invalid, such invalidity shall not affect the validity of any other portion of this Ordinance.
- 4) REPEALER. All laws and parts of laws in conflict with this Ordinance are hereby repealed.
- 5) EMERGENCY CLAUSE. It is hereby found that an immediate need exists for implementation of the enhanced 9-1-1 Emergency System to facilitate the more effective and efficient operation of Monroe County, and it is therefore declared that an emergency exists and this Ordinance, being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effective upon approval.
([Ord. 1996-218](#), passed 4-8-96)

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Flooding

§ 290.00 ESTABLISHMENT OF A FLOOD DAMAGE PREVENTION PROGRAM FOR MONROE COUNTY.

1) FLOOD DAMAGE PREVENTION REGULATORY CODE ADOPTED BY REFERENCE. There is hereby adopted by reference a Flood Damage Prevention Regulatory Code for Monroe County, such flood damage prevention regulatory code having been designed by the legislature of the State of Arkansas and set forth in A.C.A. §§ 14-268-101 – 105. 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. Provisions of flood hazard reduction.

2) Any person or corporation who violates any measure adopted under this Code may be fined not more than Five hundred dollars (\$500.00) for each offense. Each day during which a violation exists is a separate offense.

3) Notice of the intent to adopt Flood Damage Prevention Regulatory Code by reference shall be published after the third reading, and final adoption of said code will be November 12, 1998.

4) All other provisions of Ordinance #262, not modified by this Amendment shall remain in full force and effect.

5) EMERGENCY CLAUSE. It is hereby determined this Ordinance is necessary and appropriate for the preservation of the public peace and safety, that an emergency exists and this Ordinance should therefore be effective immediately upon its passage and approval by the Monroe County Quorum Court.

([Ord. 1983-046](#), passed 1-24-83; Am. [Ord. 1987-087](#), passed 3-9-87; Am. [Ord. 1998-262](#), passed 10-12-98; Am. [Ord. 1999-281](#), passed 8-9-99)

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Article VI. COUNTY FUNDS AND FEES

Section

295.00 Fee for marriage licenses.

295.01 Monroe County Sheriff's Drug Enforcement Fund; additional court cost.

§ 295.00 FEE FOR MARRIAGE LICENSES.

- 1) In accordance with the existing statutory authority, the Quorum Court of Monroe County, Arkansas, hereby establishes the fee for the cost of the issuance of a marriage license by the Office of the County Clerk of Monroe County, Arkansas, to be a total cost of sixty dollars (\$60.00).
- 2) The fee established by this Ordinance shall be effective within thirty (30) days after its adoption and publication as required by law.
([Ord. 2010-416](#), passed 8-9-10)

**§ 295.01 MONROE COUNTY SHERIFF'S DRUG ENFORCEMENT FUND;
ADDITIONAL COURT COST.**

- 1) There is hereby established a Drug Enforcement Fund of the Department of the Monroe County Sheriff.
- 2) The Drug Enforcement Fund of the Monroe County Sheriff's Department shall be used by the Monroe County Sheriff's Department solely for the purchase of equipment, for educational materials directly relating to the drug enforcement needs of the citizens of Monroe County, Arkansas, and for other drug enforcement purposes.
- 3) In addition to all other costs as are now or as may hereafter be provided by law, there shall be taxed and collected from each defendant as costs upon each judgment of conviction and upon each plea of guilty or nolo contendere in felony cases or misdemeanor cases before the Circuit Court and the Municipal Courts of Monroe County, Arkansas, the sum of five dollars (\$5.00).
- 4) The foregoing costs, so taxed and assessed, shall be collected by the Clerks of the respective Courts and forthwith paid to the Treasurer of Monroe County. Said sums paid shall be credited by the County Treasurer to the Monroe County Sheriff's Drug Enforcement Fund. Provided, that the County or any Municipality shall not be liable for the payment of the costs herein taxed in any instance where they are not collected, or in

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any case in which the defendant pays the costs by serving time in a jail or at any other official place of detention.

- 5) EMERGENCY CLAUSE. It is hereby determined that the creation of this fund and the levy of the additional court cost is necessary for the preservation of the public health, welfare, and safety of the citizens of Monroe County, and that an emergency exists and this Ordinance should take effect immediately from and after its passage.
([Ord. 1983-047](#), passed 2-14-83)