

LOGAN 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(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, or 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
 - (ii) At the first regular meeting, the quorum court shall establish the date, time, and location of meetings of the quorum court

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(iii)The organizational Ordinance adopted at the first regular meeting of the quorum court shall be effective upon adoption

(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 (24) hours' 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 Time and place of Quorum Court meetings.
- 200.01 Procedure of calling Quorum Court meetings.
- 200.02 Rules of procedure for transaction of business of the Quorum Court.
- 200.03 Procedures for appointment of committees in Quorum Court.
- 200.04 Legislative and committee procedure.
- 200.05 Procedures for calling special Quorum Court meetings.

§ 200.00 TIME AND PLACE OF QUORUM COURT MEETINGS.

- 1) The Quorum Court of Logan County hereby designates the second Monday of each month at 6:30 p.m. as its regular meeting date, with the exception of the November meeting, which will be on Tuesday, November 12, 2019 at 6:30 p.m.
- 2) Meetings of the Quorum Court of Logan County, Arkansas shall take place in Paris at the Logan County Courthouse in odd numbered months, and in Booneville at the Logan County Courthouse in even numbered months.
- 3) EMERGENCY CLAUSE. This Ordinance being necessary to secure the public health, safety, and welfare, an emergency is hereby declared, this Ordinance is hereby in full force and effect from and after its passage.
([Ord. 1977-001](#), passed 01-03-1977; Am. [Ord. 1977-010](#), passed 12-14-1997; Am. [Ord. 1981-028](#), passed 12-09-1981; Am. [Ord. 1989-023](#), passed 05-08-1989; Am. [Ord. 1989-094](#), passed 12-28-1989; Am. [Ord. 1991-002](#), passed 01-07-1992; Am. [Ord. 1992-002](#), passed 03-10-1992; Am. [Ord. 2001-046](#), passed 12-10-2001; Am. [Ord. 2009-002](#), passed 01-05-2009; Am. [Ord. 2011-002](#), passed 01-03-2011; Am. [Ord. 2012-002](#), passed 01-09-2012; Am. [Ord. 2013-002](#), passed 01-07-2013; Am. [Ord. 2015-002](#), passed 01-05-2015; Am. [Ord. 2017-002](#), passed 01-02-2017; Am. [Ord. 2019-002](#), passed 01-07-2019)

§ 200.01 PROCEDURE OF CALLING QUORUM COURT MEETINGS.

- 1) 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.
- 2) Such notice shall include time, date, and place of the special meeting. The notice shall also include the general purpose of the meeting; however, this does not preclude the

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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 for giving timely notice to absent members, as well as giving public notice, containing the information specified in Section 2.
- 4) Notice of a special meeting given at any regular or 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.
- 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 2, the notice shall also include the name of each Justice of the Peace making up the majority calling the meeting, as well as the purpose of same. 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 promote 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.
- 7) **SEVERABILITY CLAUSE.** If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions of the Ordinance which can be given effect without the invalid provision, and to this end the provisions of the Ordinance are declared to be severable.
- 8) **EMERGENCY CLAUSE.** Act 130 of 1975 authorizes the County Judge, or a majority of the Justices of the Peace, to call special meetings of the Quorum Court upon at least twenty-four (24) hours' notice in such manner as may be provided by Ordinance or resolution. Implementation of Amendment 55 will unquestionably require the Quorum Court to meet more frequently than monthly in the immediate future to ensure the crucial business of county government is carried out in the best interest of the people. Therefore, an

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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 in full force and effect from and after its passage and approval.

([Ord. 1977-003](#), passed 01-03-1977)

§ 200.02 RULES OF PROCEDURE FOR TRANSACTION OF BUSINESS OF THE QUORUM COURT.

- 1) An agenda shall be prepared by the Office of the County Clerk for every regular and special session of the Quorum Court.
- 2) The agenda shall contain any item of business that any member of the Quorum Court presents to the Office of the County Clerk for every regular and special session of the Quorum Court.
- 3) The agenda shall contain any item of business that any member of the Quorum Court presents to the Office of the County Clerk for inclusion on the agenda subject to the following requirements:
 - a. Any such item of business must be furnished to the Office of the County Clerk at least ten (10) days prior to the meeting that the Quorum Court member wants the item of business to be placed on the agenda for such meeting. Any item of business that is not presented by this time limit shall not be placed on the agenda for that meeting and shall be placed on the agenda for the next scheduled meeting unless the Quorum Court member requests that it not be so included.
 - b. The office of the County Clerk shall mail or otherwise deliver a copy of the agenda, together with any Ordinance or resolution or other written material that is to be presented in accordance with the agenda at the meeting to every Quorum Court member, to the County Judge, and the legal advisor of the Quorum Court in a manner, that in the ordinary course of events, would ensure the receipt by those persons of such agenda, and accompanying resolutions, ordinances or other written material at least five (5) days prior to such meeting. In the event this subsection is not complied with, the Quorum Court shall not consider any matter which has not been presented to the Quorum Court at an earlier meeting.
- 4) Notwithstanding the foregoing sections of this Ordinance, the Quorum Court may, by a majority vote of the members present, elect to place any matter before the Quorum Court for consideration at that meeting.

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5) The agenda shall be prepared by the Office of the County Clerk according to the following format:

a. Order of Business:

- i. Call to Order and roll call.
- ii. Minutes.
- iii. Report of committees and Constitutional Officers.
- iv. Comments from the Public.
- v. Old Business.
- vi. New Business.
- vii. Announcements.
- viii. Adjournment.

The office of the County Clerk shall place any item of business presented by the Quorum Court member, for inclusion on the agenda under the appropriate category listed herein.

b. No matter may be placed on the agenda for presentation to the Quorum Court by anyone other than a Quorum Court member.

6) The County Judge shall preside over the meetings of the Quorum Court and shall conduct the meeting in strict accordance with the agenda. In the absence of the County Judge, a quorum of the Quorum Court members, by a majority vote, shall elect one of their number to preside.

7) *Robert's Rules of Order* is hereby adopted as the Procedural Rules to be followed in the transaction of business at all Quorum Court meetings, except where they are in conflict with the general laws of the State or any other duly enacted Ordinances or resolutions.

8) EMERGENCY CLAUSE. This Ordinance being necessary to secure the public health, safety and welfare, an emergency is hereby declared, this Ordinance is hereby in full force and effect from and after its passage.

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([Ord. 1978-012](#), passed 01-13-1978; Am. [Ord. 1985-044](#), passed 08-19-1985; Am. Ord. 1989-002, passed 01-04-1989; Am. [Ord. 1999-002](#), passed 02-23-1999; Am. [Ord. 2003-003](#), passed 03-10-2003; Am. [Ord. 2013-003](#), passed 01-08-2013; Am. [Ord. 2015-003](#), passed 01-06-2015; Am. [Ord. 2017-003](#), passed 01-03-2017; Am. [Ord. 2019-003](#), passed 01-08-2019)

§ 200.03 PROCEDURES FOR APPOINTMENT OF COMMITTEES IN QUORUM COURT.

- 1) It is a recognized fact that, in the operation of county government through the Quorum Court system, various committees must be formed to perform certain specific functions.
- 2) In the past, the County Judge has appointed members of the Quorum Court to the various committees with the concurrence of the persons involved and the Quorum Court as a body.
- 3) Therefore, be it ordained, that as the need arises, the County Judge will continue to appoint members of the Quorum Court to the various committees with the approval of a majority of those members present.
- 4) EMERGENCY CLAUSE. An emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage.
([Ord. 1979-025](#), passed 02-16-1979)

§ 200.04 LEGISLATIVE AND COMMITTEE PROCEDURE.

- 1) REPEALER. County Ordinance No. 1985-053 is hereby repealed.
- 2) The meetings of the Logan County Quorum Court are to be conducted in accordance with Robert's Rules of Order as to parliamentary requirements for all matters not otherwise provided for herein.
- 3) Ark. Code Ann. § 14-14-904 sets forth specific legislative procedures and requirements to be followed by the Quorum Court. That statute is incorporated herein in this Ordinance by reference.
- 4) That the County Clerk is to prepare the agenda ten (10) days in advance of a meeting and is to make present the same to all Quorum Court members, Elected Officials and news media of the County. Only Justices of the Peace may place items on the agenda and must be so placed on the agenda before the tenth (10th) day before the meeting.

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- 5) Those members of the public desiring to appear before the Court and discuss or speak on issues before the Quorum Court will be allotted two (2) minutes to speak on issues pending presently before the Court. This time may be increased by a majority vote of the court.

- 6) The Quorum Court of Logan County shall have two (2) standing committees, respectively the Appropriation Committee to be composed of six (6) Justices of the Peace and the General Legislation Committee, to be composed of five (5) Justices of the Peace. The procedures for selecting the committees shall be as follows: Justices of the Peace shall nominate six (6) individual members to serve on the Appropriation Committee, each member being nominated to serve on the Appropriation Committee shall receive a majority vote by the total number of the Justices of the Peace. The five (5) names not comprising the Appropriation Committee shall comprise the General Legislative Committee. The process of selection of the Appropriation and Legislation Committees shall be held at the first meeting in January of each new term of office, the same procedure shall be followed to select these standing committees. The standing committees shall have the responsibility of reviewing respective legislation placed before the Quorum Court and the Quorum Court shall have the option to refer any legislation presented to a committee for review and recommendation. The Appropriation Committee shall be responsible for preparing the annual budget and making recommendations to the Court as a whole. The General Legislation Committee shall be responsible for all other legislation before the Court not related to appropriation. The committees, once elected, shall elect a chairman by a majority vote. The committee shall observe and follow Robert's Rules of Order for their parliamentary procedure. In the case of termination of any Justice of the Peace, any appointed member taking their place shall serve on all committees presently held by the old member. The County Judge may appoint such other committees as he/she deems desirable.

- 7) EMERGENCY CLAUSE. This Ordinance being necessary in order to carry out the duties and obligations of the County, and the purposes thereof being essential thereto, and the immediate effectiveness of this Ordinance shall be in full force and effect from and after is passage.
([Ord. 1985-053](#), passed 10-21-1985; Am. [Ord. 1989-002](#), passed 01-04-1989; Am. [Ord. 1999-002](#), passed 01-12-1999)

§ 200.05 PROCEDURE FOR CALLING SPECIAL QUORUM COURT MEETINGS.

- 1) Pursuant to the authority granted in Ark. Code Ann. § 14-14-904, a special meeting of the Quorum Court may be called by the County Judge or a majority of the Justices of the Peace of Logan County, said written request to contain the following information: (a) the date and time of the meeting; and (b) the subject matter of such meeting. Any such

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request shall be accompanied by a copy of any Ordinance or resolution upon which action is required.

- 2) No such meeting shall be had except upon at least twenty-four (24) hours' notice thereof, to be given by the Clerk, to the County Judge, each of the Justices of the Peace, the County Attorney, and the news media.
- 3) The Clerk, upon receipt of such written request shall promptly prepare an agenda for such special meeting setting forth the item or items to be addressed, and shall have the same available in the office of the Clerk, for the County Judge, the Justices of the Peace, the County Attorney, and the news media at least four (4) hours' prior to such meeting.
([Ord. 1996-032](#), passed 09-09-1996)

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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, as amended by Amendment 24, § 3 and Arkansas Constitution, Article 7 § 46.

- (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(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.
- (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.

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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. §§ 25-19-101-111. Freedom of Information Act.

Section

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| 210.00 | County clerk duties. |
| 210.01 | County treasurer; additional duties. |
| 210.02 | County treasurer; receipt for Bureau of Land Management Funds. |

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- 210.03 County judge; successors.
- 210.04 County sheriff; collector of fines.
- 210.05 County clerk; time pay accounts in criminal/traffic courts.

§ 210.00 COUNTY CLERK DUTIES.

- 1) 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.
- 2) Committee chairmen shall give the County Clerk notice of meetings of their respective committees in sufficient time for public notification of such meetings required by Arkansas law to be complied with.
([Ord. 1977-002](#), passed 01-03-1977)

§ 210.01 COUNTY TREASURER; ADDITIONAL DUTIES..

- 1) REPEALER. That Ordinance No. 1977-005 dated 01-03-1977, is hereby repealed.
- 2) That, in addition to all other duties presently 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.
- 3) That, in addition to all other duties required by law, the County Treasurer shall attend any special meeting of the Quorum Court wherein such attendance is deemed necessary by members of the Quorum Court or the County Judge. Timely notice of such need for attendance shall be furnished to the County Treasurer giving the purpose for which attendance is required.
- 4) That, the County Treasurer shall prepare a monthly budget and expenditure report as of the last day of each month. This report shall show each appropriation by line item, cumulative expenditures against each line item and balance of appropriation left in each line item. A copy of this report will be given to each member of the Quorum Court along with a copy of the Treasurer's financial report at the regular monthly session.
([Ord. 1977-005](#), passed 01-03-1977; Am. [Ord. 1979-029](#), passed 04-18-1979)

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§ 210.02 COUNTY TREASURER; RECEIPT FOR BUREAU OF LAND MANAGEMENT FUNDS..

- 1) The Treasurer of Logan County is hereby directed to receipt for the Bureau of Land Management Funds, in Lieu of Taxes, into the County General Fund.
- 2) EMERGENCY CLAUSE. This Ordinance being necessary in order to carry out the duties and obligations of the County, and the purposes thereof being essential thereto, and the immediate effectiveness of this Ordinance being essential and necessary for the peace, health, and safety of the citizens of Logan County, this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1985-067](#), passed 12-23-1985)

§ 210.03 COUNTY JUDGE; SUCCESSORS..

- 1) In the event the Logan County Judge is unavailable to perform his supervisory duties under the provisions of the Arkansas Emergency Services Act, the Office of Emergency Services Director of Logan County, Arkansas, is hereby designated to act under said circumstances and in such capacity necessary to protect lives and property in Logan County.
- 2) In the event the OES Director of Logan County, Arkansas, is unable to act under the provisions of the Arkansas Emergency Services Act, the Administrative Officer of Logan County shall act in such capacity for the purposes of said Act.
- 3) In the event the Administrative Officer of Logan County, Arkansas, is unable to act under the provisions of the Arkansas Emergency Services Act, the Legislative Chairman of the Quorum Court of Logan County shall act in such capacity for the purposes of said Act.
- 4) The designation of the successors to the County Judge under the provisions of this Ordinance shall in no way restrict, impair, or limit any constitutional and statutory provisions for filling any vacancy in the office of the County Judge or taking such other action as provided by law, and that the above designation shall only apply until a presiding County Judge who has been temporarily unable or is unavailable to so serve for any reason under such emergency or disaster resumes his/her duties and further, in the event he/she does not do so, that the above designation shall apply only until a successor is elected and qualified as may be provided by the Logan County Quorum Court under Act 742 of 1977.
- 5) The designation of emergency interim successors as hereinabove set forth shall empower the person holding said office or employed as above described at a time when the County

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Judge is unavailable and within the meaning of the Emergency Services Act, to act in such designated capacity.

- 6) Such designated interim successors shall serve in such designated capacity at the pleasure of the Logan County Quorum Court and may be removed or replaced by the Logan County Quorum Court at any time, with or without cause.
- 7) SEVERABILITY CLAUSE. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this 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 health, safety, and welfare of the residents of Logan County, Arkansas, in the case of a disaster and/or major emergency, this Ordinance shall be in full force and effect from and after its passage and approval by the Logan County Quorum Court.
([Ord. 1990-049](#), passed 11-12-1990; Am. [Ord. 2009-018](#), passed 07-13-2009)

§ 210.04 COUNTY SHERIFF; COLLECTOR OF FINES.

- 1) The Sheriff of Logan County is hereby designated the official primarily responsible for the collection of fines assessed on defendant in the Circuit Court, State Division of Municipal Court and for any Chancery Court fines.
([Ord. 2001-019](#), passed 05-14-2001)

§ 210.05 COUNTY CLERK; TIME PAY ACCOUNTS IN CRIMINAL/TRAFFIC COURTS.

- 1) Pursuant to the authority granted the Quorum Court in A.C.A. § 16-10-209(5)(f)(2), all time payments shall be allocated fifty percent (50%) to court costs and fifty percent (50%) to fines. Whenever court costs or fines are fully paid, all remaining time payments shall be allocated to remaining amounts due.
- 2) The court clerk shall prepare a separate monthly court report for all time payments made on accounts. The monetary settlement for this separate court report shall be made on or before the fifth (5th) day of the next following month.
- 3) EMERGENCY CLAUSE. This Ordinance being necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect and after its passage.
([Ord. 2002-016](#), passed 05-13-2002)

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Article III. COUNTY ORGANIZATIONS

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

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

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

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

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

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

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A.C.A. § 14-14-705. County advisory or administrative boards.

(a) A county quorum court, by Ordinance, may establish county advisory or administrative boards for the conduct of county affairs.

(b) (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.

(B) All advisory board members shall be appointed by the county judge. Confirmation of advisory board members by a quorum court shall not be required.

(C) An advisory board may contain any number of members as may be provided by the Ordinance creating the advisory board.

(D) The term of all advisory board members shall not exceed three (3) years.

(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.

(B) No member of any administrative board shall be interested, either directly or indirectly, in any contract made with the administrative board. A violation of subsection (2)(B) of this section shall be deemed a felony.

(C) An administrative board may be assigned responsibility for a county department of a subordinate service district.

(D) All administrative board members shall be appointed by the county judge. These appointments shall require confirmation by a quorum court.

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(E) An administrative board shall contain five (5) members. Provided, a county library board created after August 1, 1997, shall consist of not less than five (5) members nor more than seven (7) members and shall serve until their successors are appointed and qualified.

(F) The term of any administrative board member shall be for a period of five (5) years. However, the initial appointment of any administrative board shall provide for the appointment of one (1) member for a one-year term, one (1) member for a two-year term, one (1) member for a three-year term, one (1) member for a four-year term, and the remaining member or members for a five-year term, thereby providing, except for county library boards with more than five (5) members, for the appointment of one (1) member annually thereafter.

(3) **BOARDS GENERALLY.**

(A) No board member, either advisory or administrative, shall be appointed for more than two (2) consecutive terms.

(B) All persons appointed to an advisory or administrative board shall be qualified electors of the county. A quorum court may prescribe by Ordinance additional qualifications for appointment to a county administrative board.

(C) All board members appointed to either an advisory or administrative board shall subscribe to the oath of office within ten (ten) days from the date of appointment. Evidence of oath of office shall be filed with the county clerk. Failure to do so shall be deemed to constitute rejection of the office, and the county judge shall appoint a board member to fill the vacancy.

(D) No member of a quorum court shall serve as a member of a county advisory or administrative board.

(E) A person may be removed from a county board for cause by the county judge with confirmation by resolution of the quorum court. Written notification stating the causes for removal shall be provided to the board member prior to the date established for quorum court consideration of removal, and the board member shall be afforded the opportunity to meet with the quorum court in their deliberation of removal.

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(F) Appeals from removal of a county board member shall be directed to the circuit court of the respective county within thirty (30) days after the removal is confirmed by the quorum court.

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	Logan County Library Board.
220.01	Public Housing Administrative Board.
220.02	Fire Association Advisory Board.
220.03	East Logan County Public Water Facility Board.
220.04	Depository Board.
220.05	Central Logan County Public Water Facility Board.
220.06	South Logan County Public Water Facilities Board.
220.07	Greasy Valley Water Public Facilities Board.
220.08	Ambulance Service Department.

§ 220.00 LOGAN COUNTY LIBRARY BOARD.

- 1) The existing Logan County Library Board is hereby declared to be terminated and dissolved, effective on the effective date of this Ordinance, except that such board shall be deemed to have the power to conduct any and all business necessary to effect an orderly transfer of authority to the new board created by this Ordinance, provided that such transfer shall be completed prior to June 30, 1978.

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- 2) The functions, duties and jurisdiction formerly vested in the Logan County Library Board shall henceforth be vested in the Logan County Library Department and its Administrative Board, both of which are hereby created by this Ordinance, in accordance with Section 107 of Act 742 of 1977, Acts of Arkansas.
- 3) The Administrative Board of the Logan County Library Department shall be empowered with all powers enumerated in Section 103 of Act 742 of 1977, as well as with all powers normally incidental to the administration of a Library Department, and the Administrative Board is hereby assigned responsibility for the operation of the Library Department. The Administrative Board of the Library Department shall number five (5) and each of those five (5) shall be appointed by the County Judge of Logan County with each appointment requiring confirmation by the Logan County Quorum Court. The term of any Administrative Board member so appointed shall be for a term of five (5) years; provided, however, that the initial appointment of the Administrative Board shall provide for the appointment of one (1) member for a one (1) year term; one (1) member for a two (2) year term; one (1) member for a three (3) year term; one (1) member for a four (4) year term; and one (1) member for a five (5) year term; thereby providing for the appointment of one (1) member of the Administrative Board each year after the initial appointment. No Administrative Board Member shall be appointed for more than two (2) consecutive terms. Each person appointed to the Administrative Board shall be a qualified elector of Logan County, and each person so appointed shall, within ten (10) days from the date of appointment, subscribe to the oath of office and shall file evidence thereof with the Logan County Clerk.
- 4) The Administrative Board of the Logan County Library Department shall be empowered to contract with the appropriate bodies of Franklin, Johnson, Yell, and Pope Counties in order that the Arkansas River Valley Regional Library may continue to function.
- 5) The County Clerk of Logan County shall maintain a register of county administrative board appointments and shall include therein all appointments to the Administrative Board created by this Ordinance, as well as all pertinent information incidental to such appointments, as specified by Section 104 of Act 742 of 1977.
- 6) SEVERABILITY CLAUSE AND REPEALER. All sections of this Ordinance are deemed to be separable and any section thereof which may be declared to be unlawful or unconstitutional shall have no effect on the sections or parts of sections which are not deemed to be unlawful or unconstitutional. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

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- 7) EMERGENCY CLAUSE. The continued operation of the Logan County Library and the Arkansas River Valley Regional Library is deemed essential to the citizens of Logan County, and to the peace, health, welfare, and safety of Logan County citizens, and therefore an emergency is declared to exist, and this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1978-013](#), passed 01-13-1978)

§ 220.01 PUBLIC HOUSING ADMINISTRATIVE BOARD.

- 1) REPEALER. Ordinance No.1984-035, entitled an Ordinance Creating a Logan County Public Housing Administrative Board is hereby repealed.
- 2) A Logan County Public Housing Facilities Administrative Board is hereby established under Arkansas Statute 17-4106 (Act 742 of 1977). Said housing board is hereby authorized to administer the Department of Housing and Urban Development Programs within the guidelines as set forth by HUD.
- 3) The Administrative Board may exercise administrative powers, except that such board may not be authorized to pledge the credit of the county. Such administrative board shall be a body politic and corporate, with power to contract and be contracted with and sue and be sued; provided, as to actions of tort, such board shall be considered as an agency of the county government and occupy the same status as a county; provided, further, no board member shall be liable in court individually for an act performed by him or her as such board member unless the damages caused thereby were the results of said board member's malicious acts.
- 4) No member of the board shall be interested, either directly or indirectly, in any contract made with said board, and a violation of this provision shall be deemed a felony.
- 5) The administrative board members shall be appointed by the County Judge. Such appointments shall require confirmation by the Logan County Quorum Court.
- 6) The administrative board shall contain five (5) members. The term of any administrative board member shall be for a period of five (5) years; provided, however, that the initial appointment of board members shall provide for the appointment of one (1) member for a one (1) year term; one (1) member for a two (2) year term; one (1) member for a three (3) year term; one (1) member for a four (4) year term; and one (1) member for a five (5) year term; thereby providing for the appointment of one (1) member annually thereafter. No board member shall be appointed for more than two (2) consecutive terms. All board members shall be a qualified elector of Logan County.

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- 7) All board members appointed shall, within ten (10) days from the date of appointment, subscribe to the oath of office. Evidence of oath of office shall be filed with the County Clerk. Failure to do so shall be deemed to constitute rejection of the office and the County Judge shall appoint another to fill the vacancy.
- 8) A person may be removed from a county board for cause by the County Judge with confirmation by resolution of the Quorum Court; provided, however, that written notification stating the causes for removal shall be provided to such board member prior to the date established for Quorum Court consideration of removal and such board member shall be afforded the opportunity to meet with the Quorum Court in their deliberation of removal.
- 9) The board shall by rule provide for the date, time, and place of the regular monthly meeting or other regularly scheduled meeting. Such information shall be filed with the County Court; and notification of all meetings shall be conducted as established by law for public meetings. Special meetings may be called by two (2) or more board members upon written notification of all members not less than two (2) calendar days prior to the calendar day fixed for the time of such meeting.
- 10) The board shall at its initial meeting of a quorum of members elect one (1) of their members to serve as Chairperson of the Board for a term of one (1) year. Such Chairperson shall thereafter preside over the board throughout their term as Chairperson. In the absence of the Chairperson, a quorum of the board shall select one (1) of their members to preside and conduct the affairs of the board.
- 11) The board shall provide for the keeping of written minutes which shall include the vote of all board members' actions indicating the vote of each individual member. Said minutes shall be filed with the County Clerk and a copy will be furnished to the County Judge.
- 12) EMERGENCY CLAUSE. The immediate protection of public property being necessary to protect the health, safety, and welfare of the public in Logan County, Arkansas, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1984-035](#), passed 09-10-1984; Am. [Ord. 1987-013](#), passed 03-09-1987)

§ 220.02 FIRE ASSOCIATION ADVISORY BOARD.

- 1) A Logan County Rural Fire Association Advisory Board is hereby established. The Advisory Board shall furnish, advise, gather information, and make recommendations to the County Judge in order to help obtain Class 9 and recommendations of all areas for the various Rural Fire Departments.

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- 2) All advisory board members shall be appointed by the County Judge. The board shall consist of three (3) members. The term of all advisory board members shall not exceed three (3) years. Appointments shall be made for one (1), two (2), and three (3) years respectively thereby providing for the appointment of one (1) member annually thereafter. No member shall serve more than two (2) consecutive terms.
- 3) All persons appointed to the board shall consist of Rural Fire Department members and shall be a qualified elector of the County.
- 4) All board members appointed to the Advisory Board shall within ten (10) days from the date of appointment subscribe to the oath of office. Evidence of oath of office shall be filed with the County Clerk. Failure to do so shall be deemed to constitute rejection of the office and the County Judge shall appoint a board member to fill the vacancy.
- 5) The time and place for the initial meeting of the board shall be established by the County Judge through written notification of each board member. The Board shall provide for the date, time, and place of meetings. Such information shall be filed with the County Court; and notification of all meetings shall be conducted as established by law for public meetings.
- 6) The Board shall at its initial meeting of a quorum of members elect one (1) of their members to serve as Chairperson of the Board for a term of one (1) year. Such Chairperson shall thereafter preside over the Board throughout their term as Chairperson. The Board shall provide for the keeping of written minutes which include the final vote on all Board actions indicating the vote of each individual member on the question. All written minutes shall be filed with the County Clerk and copy provided to all Quorum Court members.
- 7) EMERGENCY CLAUSE. The immediate protection of public property being necessary to protect the health, safety, and welfare of the public in Logan County, Arkansas. An emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1987-002](#), passed 01-05-1987)

§ 220.03 EAST LOGAN COUNTY PUBLIC WATER FACILITY BOARD.

- 1) The East Logan County Public Water Facility Board is hereby created for the purpose of furnishing water for domestic, commercial, agricultural and industrial purposes, including without limitation, mains, hydrants, meters, valves, standpipes, storage tanks, pumping tanks, intakes, wells, impounding reservoirs, purification plants, and lakes, watercourses or water supplies pertaining thereto.

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- 2) The East Logan County Water Public Facility Board is hereby empowered to provide waterworks facilities in accordance with Arkansas Statutes 20-1701-1712, and to adopt by-laws for the regulation of its affairs and conduct of its business.
- 3) The board shall consist of five (5) members. The initial members shall be appointed by the County Judge for terms of one (1), two (2), three (3), four (4), and five (5) years, respectively. Successor member shall be elected by a majority of the board for terms of five (5) years each. Each member shall qualify by taking and filing with the Clerk of the County his/her oath of office. Each member shall serve until his/her successor is elected and qualified. In the event of a vacancy in the membership of the Board, however caused, a majority of the Board shall elect a successor member to serve the unexpired term. A member shall be eligible to succeed him/herself.
- 4) The members of the board shall meet and organize by electing one (1) of their members as Chairman, one (1) as Vice-Chairman, one (1) as Secretary, and one (1) as Treasurer, and such officers shall be elected annually thereafter in like manner.
- 5) The board shall meet upon the call of its Chairman, or a majority of its members, and at such times as may be specified in its by-laws for regular meetings, and a majority of its members shall constitute a quorum for the transaction of business.
- 6) The board Secretary shall keep a record of the proceedings including all votes taken and shall be custodian of all books, documents, and papers filed with the board and of the minute book or journal and of its official seal.
- 7) EMERGENCY CLAUSE. It is hereby found and determined by the Logan County Quorum Court that in order to proceed with grant and funding procedures for waterworks development for East Logan County, a Public Facility Board will need to be created to meet with appropriate timing as required by State Law. Therefore, an emergency is hereby declared to exist and this Ordinance being necessary for the immediate preservation of public peace, health, and safety shall be in full force and effect from and after its passage and approval.
([Ord. 1987-049](#), passed 09-14-1987)

§ 220.04 DEPOSITORY BOARD.

- 1) The Logan County Depository Board is hereby established and shall be composed of the County Judge, County Treasurer, and County Collector.
- 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

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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 make settlements with the Treasurer more frequently than required by Arkansas Law. (As used in Act 250, 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, Ark. Stats. 13-801).

- 3) County Officials are required to make timely investments of public funds in the designated depositories as established by the Depository Board 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 sense of awareness of the financial condition of depository institutions being considered for deposits and they may require as a condition for placing deposits or keeping funds on deposit such financial data as they need so as to make an informed decision including but not limited to quarterly financial statements, quarterly profit and loss statements, and tangible net worth to asset ratios.
- 5) The Logan County Depository Board shall meet within the first two (2) weeks in January of each year to designate depositories and carry out duties as they deem necessary in accordance with the law. Said board shall establish their rules for holding additional meetings and supervising the depositing of County funds as shown in Section 2 of this Ordinance. All decisions made by said board shall be duly recorded and filed for record in the County Court.
- 6) EMERGENCY CLAUSE. Now therefore an emergency is hereby declared for the immediate protection of public funds and being necessary to protect the health, safety, and welfare of Logan County, Arkansas, and this Ordinance shall be in full force and effect from and after its passage.
([Ord. 1987-052](#), passed 10-12-1987)

§ 220.05 CENTRAL LOGAN COUNTY PUBLIC WATER FACILITY BOARD.

- 1) The Central Logan County Public Water Facility Board is hereby created for the purpose of furnishing water for domestic, commercial, agricultural, and industrial purposes including, without limitation, mains, hydrants, meters, valves, standpipes, storage tanks, pumping tanks, intakes, wells, impounding reservoirs, purification plants, and lakes, watercourses, or water supplies pertaining thereto.

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- 2) The Central Logan County Public Water Facility Board is hereby empowered to provide waterworks facilities in accordance with Act 142 of 1975, and to adopt by-laws for the regulation of its affairs and conduct of its business.
- 3) The board shall consist of five (5) members. The initial members shall be appointed by the County Judge for terms of one (1), two (2), three (3), four (4), and five (5) years, respectively. Successor members shall be elected by a majority of the board for terms of five (5) years each. Each member shall serve until their successor is elected and qualified. A member shall be eligible to succeed him or herself. Each member shall qualify by taking and filing with the Clerk of the County their oath of office in which they shall swear to support the Constitution of the United States and the Constitution of the State of Arkansas and to discharge faithfully their duties in a manner provided by law. In the event of a vacancy in the membership of the board, however caused, a majority of the board shall elect a successor member to serve the unexpired term.
- 4) The members of the board shall meet and organize by electing one of their number as chairman, one as vice-chairman, one as secretary, and one as treasurer, and such officers shall be elected annually thereafter in like manner. The duties of secretary and treasurer may be performed by the same member.
- 5) The Board shall meet upon the call of its Chairman, or a majority of its members, and at such times as may be specified in its bylaws for regular meetings. A majority of its members shall constitute a quorum for the transaction of business. The affirmative vote of a majority of the members present at a meeting of the Board shall be necessary for any action taken by the Board. The Secretary of the Board shall keep a record of the proceedings of the Board and shall be custodian of all books, documents, and papers filed with the board and of the minute book or journal of the Board.
- 6) EMERGENCY CLAUSE. It is hereby determined by the Logan County Quorum Court that in order to proceed with organization and funding procedure for waterworks development for Central Logan County, a Public Facility Board will need to be created to meet with appropriate timing as required by State Law. Therefore, an emergency is hereby declared to exist, and this Ordinance being necessary for immediate action shall be in full force and effect from and after its passage.
([Ord. 1990-025](#), passed 06-11-1990)

§ 220.06 SOUTH LOGAN COUNTY PUBLIC WATER FACILITIES BOARD.

- 1) The South Logan County Public Water Facilities Board is hereby created for the purpose of furnishing water for domestic, commercial, agricultural, and industrial purposes including, without limitations, mains, hydrants, meters, valves, standpipes, storage tanks,

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pumping tanks, intakes, wells, impounding reservoirs, purification plants, lakes, water courses, or water supplies pertaining thereto.

- 2) The South Logan County Public Water Facilities Board is hereby empowered to provide waterworks facilities in accordance with Act 142 of 1975, and to adopt by-laws for the regulation of its affairs and conduct of its business.
- 3) The Board shall consist of five (5) members. The initial members shall be appointed by the County Judge for terms of one (1), two (2), three (3), four (4), and five (5) years, respectively. Successor members shall be elected by a majority of the Board for terms of five (5) years each. Each member shall serve until their successor is elected and qualified. A member shall be eligible to succeed him or herself. Each member shall qualify by taking and filing with the Clerk of the County their oath of office in which they shall swear to support the Constitution of the United States and the Constitution of the State of Arkansas and to discharge faithfully their duties in a manner provided by law. In the event of a vacancy in the membership of the Board, however caused, a majority of the Board shall elect a successor member to serve the unexpired term.
- 4) The members of the Board shall meet and organize by electing one (1) of their number as Chairman, one (1) as Vice-Chairman, one (1) as Secretary, and one (1) as Treasurer, and such officers shall be elected annually thereafter in a like manner. The duties of Secretary and Treasurer may be performed by the same member.
- 5) The Board shall meet upon the call of its Chairman, or a majority of its members, and at such times as may be specified in its by-laws for regular meetings. A majority of its members shall constitute a quorum for the transaction of business. The affirmative vote of a majority of the members present at a meeting of the Board shall be necessary for any action taken by the Board. The Secretary of the Board shall keep a record of the proceedings of the Board and shall be custodian of all books, documents, and papers filed with the Board and of the minute book or journal of the Board.
- 6) EMERGENCY CLAUSE. It is hereby determined by the Logan County Quorum Court that in order to proceed with organization and funding procedures for waterworks development for South Logan County, a Public Water Facilities Board will need to be created to meet with appropriate timing as required by State Law. Therefore, an emergency is hereby declared to exist, and this Ordinance being necessary for immediate action shall be in full force and effect from and after its passage.
([Ord. 1993-023](#), passed 09-13-1993)

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§ 220.07 GREASY VALLEY WATER PUBLIC FACILITIES BOARD.

- 1) CREATION OF PUBLIC FACILITIES BOARD. There is hereby created a Public Facilities Board pursuant to the provisions of A.C.A. §§ 14-137-101, et seq. (Repl 1998; Suppl. 2011) (the “Act”). The Board shall be known as the Greasy Valley Water Public Facilities Board of Logan County, Arkansas (the “Board”). The Board shall have the powers provided for by the Act.

- 2) MEMBERSHIP OF THE BOARD. The Board shall consist of five (5) members. Five (5) members shall be appointed by the County Judge of Logan County. The terms of said members shall be as follows: Position One, one (1) year; Position Two, two (2) years; Position 3, three (3) years; Position 4, four (4) years; and Position 5, five (5) years. Successor members shall be elected as set forth in the Act. Each member shall qualify by taking and filing with the Clerk of the County his/her oath of office in which he shall swear to support the Constitution of the United States and the Constitution of the State of Arkansas and to discharge faithfully his/her duties in the manner provided by law. Each member shall serve until his/her successor is elected and qualified in the event of a vacancy in the membership, however caused, a majority of the Board shall elect a successor member to serve the unexpired term. A member shall be eligible to succeed him/herself.

- 3) ORGANIZATION OF THE BOARD. The members of the Board shall meet and organize by electing one (1) of their members as chairman, and one (1) as vice-chairman, one (1) as secretary and one (1) as treasurer, and such officer shall be elected annually thereafter in like manner. The duties of the secretary and treasurer may be performed by the same member. The Board may also appoint an Executive Director who may be a member of the Board and receive such compensation as shall be fixed by the Board. The members of the Board shall receive no compensation for their services but shall be entitled to reimbursement of expenses incurred in the performance of their duties.

- 4) GENERAL POWERS OF THE BOARD. The Board is hereby specifically empowered:
 - a. To own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning or otherwise deal in or dispose of waterworks facilities (as defined in the Act) or any interest in such facilities, including, without limitation to provide financing for such facilities;

 - b. To issue bonds to obtain funds and revenues for the accomplishment of any of the waterworks facilities projects herein authorized, either alone or together with other available funds and revenues therefor

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- 5) **ADDITIONAL AUTHORITY OF THE BOARD.** The Board is hereby additionally authorized and empowered:
- a. As a body politic and corporate to have perpetual succession and to adopt bylaws, not in conflict with this Ordinance or the Act, as may from time to time be amended, for the regulation of its affairs and the conduct of its business;
 - b. To maintain an office at such place or places in the County as the Board may designate, from time to time,
 - c. To fix, charge and collect rates, fees, interest, and charges for the use of any waterworks facilities and the supplying of water,
 - d. To employ and pay compensation to such employees and agents, including attorneys, consulting engineers, surveyors, accountants, financial experts, and others as it may in its judgment find necessary for the accomplishment of the purposes and objective for which it has been created and to fix their compensation;
 - e. To do any and all other acts and things to accomplish the waterworks facilities projects for which it is authorized by this Ordinance and all other acts and things authorized or required by the Act as it may from time to time be amended, except as may be specifically limited herein, and any and all other things necessary or convenient to accomplish the purposes for which the Board has been created.
- 6) **USE OF FUNDS AND REVENUES.** This Board is hereby authorized to use any available funds and revenues for the accomplishment of the waterworks facilities projects which it is authorized to own, acquire, construct, reconstruct, extend, equip, improve, operate, maintain, sell, lease, contract concerning or otherwise deal in. Bonds may be issued by the Board in such principal amounts as shall be sufficient to pay the cost of accomplishing the waterworks facilities projects involved; the cost of issuing the bonds; the amount necessary for reserves, if deemed desirable, the amount necessary to provide for debt service on the bonds until revenues for the payment thereof are available from other sources; and any other costs and expenditures of whatever nature incidental to the accomplishment of the waterworks facilities involved and the placing of them in operation. Any net earnings of the Board (beyond that necessary for retirement of the indebtedness or to implement any waterworks facilities project) shall not inure to the benefit of any person other than to the Board.

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- 7) **AUTHORITY WITH RESPECT TO BONDS.** This Board shall have, with respect to the issuance of bonds authorized to be issued by it, the authority and power with respect thereto set forth and contained in the Act, which terms and provisions are hereby incorporated in this Ordinance as though herein expressly set forth, word for word, except to the extent of changes required for the provisions thereof to be consistent in the context of this Ordinance, and such additional authority as may be granted in similar provisions by amendment of the Act from time to time hereafter.

All bonds of the Board shall be special obligation revenue bonds which shall be obligations only of the Board and shall not constitute an indebtedness for which the faith and credit of Logan County, or any of its revenues are pledged, and the principal of and interest on the bonds shall be payable from and secured by a pledge of revenues derived from the waterworks projects financed, in whole or in part, from bond proceeds and as authorized by, and in accordance with the provisions of the Act.

- 8) **MEETINGS.** The Board shall meet upon the call of its Chairman, or a majority of its members, and at such times as may be specified in the bylaws for regular meetings, and a majority of its members shall constitute a quorum for the transaction of business. The affirmative vote of the majority of the members present at a meeting of the Board shall be necessary for any action taken by the Board. Any action taken by the Board may be authorized by resolution and such resolution shall take effect immediately unless a later effective date is specified in the resolution. No vacancy in the membership in the Board shall impair the right of a quorum to exercise all the rights and perform all the duties of the Board.
- 9) **RECORDS.** The Secretary shall keep a record of the proceedings of the Board and shall be custodian of all books, documents, and papers filed with the Board and of the minute book or journal of the Board and its official seal, if any, shall be adopted. The Secretary may cause copies to be made of all minutes and other records and documents of the Board and may give certificates of the Board to the effect that such copies are true copies, and all persons dealing with the board may rely upon such certificates.
- 10) **ANNUAL REPORTS.** Within the first ninety (90) days of each calendar year, this Board shall make a written report to Logan County, Arkansas, concerning its activities for the preceding calendar year. Each such report shall set forth a complete operating and financial statement covering its operation during the year.
- 11) **AUTOMATIC AMENDMENT.** To accomplish the specific public facilities objectives set forth above, the Board shall have such additional authority and power as may, from time to

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time, hereafter be authorized for Public Facilities Boards by amendments to the Act without additional action by this Quorum Court.

- 12) SEVERABILITY CLAUSE. The provisions of this Ordinance are severable. If any provision hereof shall be held to be invalid or inapplicable to any person or circumstances, such holding, or invalidity shall not affect the validity or applicability of the remainder of the provisions hereof.

([Ord. 2011-033](#), passed 12-12-2011)

§ 220.08 AMBULANCE SERVICE DEPARTMENT.

- 1) The Logan County Ambulance Service Department will be under the general supervision of the County Judge's office and will be assisted by an Advisory Board of seven (7) persons including one (1) doctor from Booneville and one (1) doctor from Paris, and also an Ambulance Committee of three (3) persons from the Quorum Court to be appointed by the County Judge. Terms of membership on this Board shall not exceed three (3) years, except that upon the initial organization, appointments shall be made for one (1), two (2), and three (3) years, respectively. No member shall be allowed to serve more than two (2) consecutive terms. All persons appointed to the Advisory Board shall be qualified electors of Logan County. The County Judge shall within two (2) weeks from the passage of this Ordinance appoint said Advisory Board.
- 2) The County Judge will be empowered to hire one (1) Operations Manager to manage the operation of the department, which shall include bookkeeping, purchasing, billing and collection.
- 3) The Logan County Ambulance Service Department Advisory Board will hold at least one (1) regular meeting each quarter. A special meeting may be called by any member, the Operations Manager, or the County Judge by giving all other parties at least a twenty-four (24) hour notice. Regular meetings shall consist of the following:
 - a. Assistance
 - b. Furnishing advice
 - c. Gathering of information
 - d. Making recommendations
- 4) A management report shall be furnished by the County Judge from the Operations Manager to the Quorum Court at its regular monthly meeting. such report shall include:

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- a. Written minutes of the Board, including the final vote on all Board actions indicating the vote of each individual member on each question.
 - b. Requests for Capital Expenditures prior to purchase of capital items. A capital item having a projected useful life of more than one (1) year and an acquisition cost of more than one thousand dollars (\$1,000.00).
- 5) The County Clerk shall provide a monthly line item expenditure report of the Logan County Ambulance Service to the County Judge and Quorum Court members at its regular monthly meeting.
 - 6) The County Judge shall provide to the Advisory Board members official oath forms and also a copy of this Ordinance.
 - 7) The County Clerk shall provide and have published in the Booneville and Paris newspapers semi-annual income and expenditure reports of the Logan County Ambulance Service. The Treasurer shall semi-annually cause to be published one-time, in one newspaper published in the County, a financial statement of the County including the receipts and expenditures for that period and a detailed statement of the indebtedness and financial condition of the County.
 - 8) It shall be the joint decision of the County Judge and the Operations Manager to hire, demote, or terminate any employee of the Logan County Ambulance Service with the final decision being vested in the County Judge.
 - 9) The Advisory Board shall provide for the date, time, and place of the regularly scheduled meetings. Such information shall be filed with the County Court and notification of all meetings shall be conducted as established by law for public meetings.
 - 10) The Advisory Board shall at its initial meeting of a quorum of members elect one of their members to serve as Chairperson of the Board for a term of one (1) year. Such Chairperson shall thereafter preside over the Board throughout their term as Chairperson. In the absence of the Chairperson, a quorum of the Board may select one of their members to preside and conduct the affairs of the Board.
 - 11) All Board members appointed to said Advisory Board shall within ten (10) days from the date of appointment subscribe to the oath of office. Evidence of said oath of office shall be filed with the County Clerk. Failure to do so shall be deemed to constitute rejection of the office and the County Judge shall appoint another to fill the vacancy.

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12) A person may be removed from the Advisory Board for cause by the County Judge with confirmation by resolution of the Quorum Court; provided, however, that written notification stating the causes for removal shall be provided to such board member prior to the date established for Quorum Court consideration of removal and such board member shall be afforded the opportunity to meet with the Quorum Court in their deliberation of removal.

13) EMERGENCY CLAUSE. Because of the lack of an Ambulance Service Board which is a severe impairment to effectiveness and efficiency of the Ambulance and Emergency Medical Service of Logan County, it is hereby found by the Quorum Court of Logan County, Arkansas, that an immediate need for said Ambulance Service Department and Advisory Board exists, and an emergency is hereby declared to exist, and this Ordinance being necessary for the immediate preservation of the public peace, health, and safety of the citizens of Logan County, Arkansas, shall be in full force and effect from and after its passage.

([Ord. 1983-054](#), passed 12-15-1983; Am. [Ord. 1984-016](#), passed 03-12-1984; Am. [Ord. 1987-018](#), passed 04-13-1987; Am. [Ord. 1989-005](#), passed 01-03-1989)

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Article IV. COUNTY POLICIES.

Section

General Policies

- | | |
|--------|---|
| 230.00 | Responsibilities for electronic processing of data and determining offices' liability for payment for services. |
| 230.01 | Copy charges. |
| 230.02 | Procedures for paying claims for the office of public defender. |
| 230.03 | Assets inventory control and records system. |

Employee / Employment Policies

- | | |
|--------|---|
| 240.00 | Personnel policy. |
| 240.01 | Employee obligation to reimburse the County for job training. |
| 240.02 | Expense reimbursement for elected officials and county employees. |
| 240.03 | Employee bonus for disclaiming healthcare coverage. |
| 240.04 | Health insurance program. |

Purchasing Policies

Reserved.

General Policies

§ 230.00 RESPONSIBILITIES FOR ELECTRONIC PROCESSING OF DATA AND DETERMINING OFFICES' LIABILITY FOR PAYMENT FOR SERVICES.

- 1) REPEALER. Ordinance No. 1983-052 entitled "An Ordinance Repealing Emergency Ordinance No. 1981-025 and Reassigning Responsibilities in connection with Electronic Data Processing of Tax Records" is hereby repealed.

- 2) The County Assessor will print and provide to the County Tax Collector the temporary tax books on or before the third Monday in February.

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- 3) The County Tax Collector will print and mail the Tax Statements from material provided by the County Assessor.
- 4) The County Tax Collector will print a final set of tax books after books are closed.
([Ord. 1981-025](#), passed 10-12-1981; Am. [Ord. 1983-052](#), passed 12-13-1983; Am. [Ord. 1991-046](#), passed 10-14-1991)

§ 230.01 COPY CHARGES.

- 1) Those offices in possession of a photocopier shall charge \$0.25 per page for copies made for members of the public.
- 2) This cost shall be in full force and effect January 1, 2005.
([Ord. 2004-031](#), passed 12-13-2004)

§ 230.02 PROCEDURES FOR PAYING CLAIMS FOR THE OFFICE OF PUBLIC DEFENDER.

- 1) In accordance with the budget and other Ordinances of the County, the County shall reimburse such expenses as are made by originally signed claim forms to be furnished by the County Clerk, with supporting documentation by the person requesting such reimbursement, and be approved by the managing public defender for this judicial district prior to the submission of such claim for filing. All of such reimbursements shall be paid in accordance with A.C.A. § 16-87-302(b), which includes “the cost of facilities, equipment, supplies, and other office expenses necessary to the effective and efficient operation of the public defender’s office and only those additional expenses expressly approved by itemized, line-item budget.
- 2) EMERGENCY CLAUSE. This Ordinance being necessary for the preservation of the public peace, health, and safety 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. 2016-021](#), passed 08-08-2016)

§ 230.03 ASSETS INVENTORY CONTROL AND RECORDS SYSTEM.

- 1) That there is hereby established an assets Inventory Control Record System for Logan County. This system is to be administered by the County Judge as custodian of county property as designated by Amendment 55, section 3 of the Arkansas Constitution, implemented by Act 72 of 1977, Section 78(B)(3). This system shall be administered in accordance with State Statutes, this Ordinance and subsequent Ordinances as enacted by the Logan County Quorum Court.

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- 2) An inventory control card shall be completed on each asset belonging to the County. For the purposes of this Ordinance, an asset is defined as any land, building, improvement or equipment having a life span of more than one year and a value of fifty dollars (\$50.00)¹ or more. Specifically excluded from the count to be inventoried under this system are those books and records, the custody, care and retention of which are regulated by Arkansas Statute.
- 3) Each asset inventory record card shall contain the following information:

Office or Section	Location
Description of Asset	
Serial No.	Date Acquired
New Used Surplus	P.O. No.
Acquisition cost or value	Source of funds
Acquired from	
Disposition date	
Comments	

Those pieces of County equipment that do not have a serial number affixed by the manufacturer shall have a County Serial number attached. In cases where an acquisition cost is not available, the County Assessor shall determine the fair market value to be recorded in lieu of the actual acquisition cost.

- 4) All assets inventory record cards must be annotated to show source of funds used to acquire the item. If the item was purchased solely from Federal funds, the source of these funds must be shown, i.e. LEAA, HUD, EDA, etc. If the item was purchased from formula type grants involving Local/State/Federal funds the inventory record card shall be annotated accordingly.
- 5) The assets inventory record cards shall be kept in duplicate, with original filed in the Office of the County Judge and a copy maintained by the office or section utilizing the asset. The County Judge shall be responsible for insuring that the cards are filled out properly and kept up to date.
- 6) It is determined that the information contained in the assets inventory record, as outlined in Section 3 of this Ordinance exceed minimum requirements of Arkansas Statute Annotated 17-1806, therefore it is hereby adopted.

¹¹ As of 2019, this number has been set at three thousand dollars (\$3,000.00) in the annual budget.

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- 7) The first inventory conducted under this Ordinance shall be completed prior to December 1, 1978, and a report made by the County Judge to the Quorum Court at the December 1978 regular session. Thereafter, the County Judge shall conduct an annual inventory of all county property during the month of November and shall report his/her findings to the Quorum Court at the December regular session each year. The County Judge may conduct additional inventories of any or all County property at any time to verify the status and location of inventories items.
- 8) Once an asset is entered into the assets inventory record system, it shall not be moved from the location specified thereon without approval of the County Judge.
- 9) Items may be removed from the assets inventory records system through sale, verified loss, normal wear and/or use or trade in on new equipment. However, no item may be removed without prior approval of the County Judge who will follow the guidelines outlined in Arkansas Statute Annotated 17-304—308. Any such removal shall be reported to the Quorum Court at the next regular session subsequent to the removal.
- 10) It shall be the responsibility of each County Officer and/or major activity supervisor to safeguard all inventoried items charged to his or her functional area and to report promptly to the County Judge, in writing, any loss or removal of such items. Upon receipt of such a report of loss or removal, the County Judge shall immediately conduct a survey to determine the circumstances involved and shall report such loss or removal to the Quorum Court. Provided, that nothing herein shall be construed to preclude any appropriate legal liability or legal action under the laws of the State of Arkansas.
- 11) EMERGENCY CLAUSE. It is hereby found and determined that the effectiveness of this Ordinance is essential for the operation of County government and that any delay in its effectiveness would work irreparable harm upon the proper administration of County government and the care of County property; therefore, an emergency is declared to exist, and this Ordinance being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

([Ord. 1978-019](#), passed 11-14-1978)

Employee / Employment Policies

§ 240.00 PERSONNEL POLICY.

- 1) The Logan County Personnel Policy, revised 2017, as filed for record by the County Clerk on the 11th day of December, 2017, is hereby adopted by reference, pursuant to A.C.A. § 14-14-904 (b) as is set forth word for word.

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- 2) REPEALER. All Ordinances, Or Parts Of Ordinances, in conflict herewith are hereby rescinded and repealed to the extent of such conflict.

- 3) EMERGENCY CLAUSE. This Ordinance being necessary for the preservation of the public peace, health, and safety shall be in full force and effect as of the 1st day of January 2018. ([Ord. 1977-008](#), passed 10-18-1977; Am. [Ord. 1978-015](#), passed 02-17-1978; Am. [Ord. 1978-020](#), passed 12-14-1978; Am. [Ord. 1979-043](#), passed 07-13-1979; Am. [Ord. 1979-047](#), passed 08-14-1979; Am. [Ord. 1981-018](#), passed 08-10-1981; Am. [Ord. 1983-005](#), passed 01-03-1983; Am. [Ord. 1984-019](#), passed 04-09-1984; Am. [Ord. 1986-009](#), passed 01-19-1986; Am. [Ord. 1986-017](#), passed 02-19-1986; Am. [Ord. 1986-025](#), passed 04-14-1986; Am. [Ord. 1987-009](#), passed 03-09-1987; Am. [Ord. 1987-012](#), passed 03-09-1987; Am. [Ord. 1987-038](#), passed 08-10-1987; Am. [Ord. 1988-011](#), passed 05-09-1988; Am. [Ord. 1988-031](#), passed 09-12-1988; Am. [Ord. 1988-055](#), passed 12-12-1988; Am. [Ord. 1988-056](#), passed 12-12-1988; Am. [Ord. 1989-009](#), passed 02-13-1989; Am. [Ord. 1989-024](#), passed 05-08-1989; Am. [Ord. 1989-036](#), passed 06-12-1989; Am. [Ord. 1990-058](#), passed 11-12-1990; Am. [Ord. 1992-029](#), passed 10-12-1992; Am. [Ord. 1993-042](#), passed 12-13-1993; Am. [Ord. 1994-002](#), passed 01-10-1994; Am. [Ord. 1994-044](#), passed 12-19-1994; Am. [Ord. 1995-053](#), passed 11-13-1995; Am. [Ord. 1996-002](#), passed 01-08-1996; Am. [Ord. 1999-008](#), passed 05-10-1999; Am. [Ord. 2000-014](#), passed 07-10-2000; Am. [Ord. 2005-028](#), passed 08-08-2005; Am. [Ord. 2009-042](#), passed 12-14-2009; Am. [Ord. 2011-024](#), passed 10-10-2011; Am. [Ord. 2015-006](#), passed 03-09-2015; Am. [Ord. 2016-005](#), passed 03-14-2016; Am. [Ord. 2016-018](#), passed 06-13-2016; Am. [Ord. 2017-028](#), passed 12-11-2017; Am. [Ord. 2018-007](#), passed 03-12-2018)

§ 240.01 EMPLOYEE OBLIGATION TO REIMBURSE THE COUNTY FOR JOB TRAINING.

- 1) All County employees receiving training of any kind for their job while being financed in whole or in part by the County will be required to remain in the employment of the County for a period of eighteen (18) months without having to reimburse the County the amount of funds necessary to qualify an employee for their job position. However, should termination occur within the eighteen (18) months after completion and/or certification of job training for an employee, the employee shall reimburse to the County ALL funds expended due to the process of job training (i.e., fees, books, travel, food, motel, etc.).

- 2) Should an employee feel that due to circumstances beyond their control that reimbursement for job training should not be made, a written grievance shall be made within ten (10) working days after termination to the Legislative Committee, who shall establish a meeting and hearing time with the official and employee within ten (10) working days and after said hearing make a written recommendation to the County upon

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receiving all facts of the situation, which recommendation shall remain in the employee personnel file.

- 3) Each Elected Official shall be responsible for serving each current employee and all new employees from here on a copy of this Ordinance and informing the employee of their financial obligation through job training. Should employee termination occur during the eighteen (18) month period each elected official shall present to the County Judge a copy of all reimbursement expenses due Logan County, Arkansas, as called for in Section 1 of this Ordinance.
- 4) EMERGENCY CLAUSE. An emergency is hereby declared due to the amount of funds being expended for job training by Logan County, and this Ordinance shall be in full force and effect from its passage.
([Ord. 1991-002](#), passed 01-07-1991)

§ 240.02 EXPENSE REIMBURSEMENT FOR ELECTED OFFICIALS AND COUNTY EMPLOYEES.

- 1) No elected County official or County employee shall be reimbursed for any expense incurred during the course of his or her employment except by the guidelines set forth in this Ordinance.
- 2) There shall be no credit card issued to any Logan County office holder, in his or her official capacity, or department, LESS AND EXCEPT that Logan County Sheriff's Department's use of a fuel card and those credit cards previously authorized by the County Judge. Each official or employee who incurs an expense in the course of his or her employment shall present an invoice and/or itemized receipt of payment, or some other proof of itemized expense incurred and payment made by the employee, to the County Clerk in accordance with Arkansas law before the elected County official or County employee shall be reimbursed by the County.
- 3) REPEALER. This Ordinance shall supplement, and not otherwise repeal or amend any previous Ordinances setting forth reimbursement rates for expenses incurred by officials or employees.
([Ord. 2017-004](#), passed 01-02-2017)

§ 240.03 EMPLOYEE BONUS FOR DISCLAIMING HEALTH CARE COVERAGE.

- 1) Employees eligible for health insurance at County expense may disclaim health insurance coverage and be awarded a bonus of \$500.00. In order to receive the said bonus, the employee shall file a disclaimer of health insurance coverage on or before December 31st for the next following calendar year. The bonus shall be paid in a lump sum during the

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last two (2) weeks of the calendar year for which the insurance was waived by such employee only if during the entirety of such calendar year, the employee shall have foregone coverage under the County's group health insurance plan. Said bonus shall be reflected in each affected department's budget at line twelve (12) as a fringe benefit.

- 2) Employees who wish to participate in the bonus in lieu of insurance coverage for 1997 shall submit their disclaimer in writing to the Logan County Clerk prior to April 1, 1997, hereafter the deadline for participation shall be December 31st for the following calendar year.
- 3) EMERGENCY CLAUSE. This Ordinance being necessary for the preservation of the public health, and welfare, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect on the date of passage.
([Ord. 1993-045](#), passed 12-14-1993; Am. [Ord. 1997-005](#), passed 02-10-1997; Am. [Ord. 1997-009](#), passed 3-10-1997; Am. [Ord. 2005-006](#), passed 03-14-2005; Am. [Ord. 2014-022](#), passed 12-08-2014)

§ 240.04 HEALTH INSURANCE PROGRAM.

- 1) The following categories of personnel, employed by Logan County, shall be eligible for participation in the Logan County Health Insurance Program:
 - a. COUNTY GENERAL FUND
 - i. All elected County Officials whose salaries are fully paid from County funds and by the nature of their various offices, are required to spend a minimum of thirty (30) hours per week on duty.
 - ii. Employees of the aforesaid elected County Officials whose full salaries are paid from County Funds and who are required to spend a minimum of (thirty) 30 hours per week on duty.
 - iii. All members of the Quorum Court.
 - b. COUNTY ROAD FUND
 - i. County Road employees whose full salaries are paid from County funds and who are required to spend a minimum of thirty (30) hours per week on duty.
 - c. EMERGENCY MEDICAL SERVICE FUND

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- i. Ambulance Service employees whose full salaries are paid from County funds and who are required to spend a minimum of thirty (30) hours per week on duty.

- 2) EMERGENCY CLAUSE. Because of depressed economic conditions, lack of adequate protection of County Officials and employees act as a severe impairment to effectiveness and efficiency of County Government. It is hereby found by the Quorum Court of Logan County, Arkansas, that there is an immediate need for health insurance for certain officials and employees, and therefore, an emergency is hereby declared to exist, and this Ordinance being necessary for the immediate preservation of the public peace, health, and safety of the citizens of Logan County, shall be in full force and effect from and after its passage.
[\(Ord. 1983-007](#), passed 02-21-1983)

Purchasing Policies

Reserved.

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Article V. EMERGENCIES: PLANS, SYSTEMS AND FEES

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

In any County in which a natural disaster, including but not limited to a tornado or flood, results in the County being declared a disaster area by the Governor, an appropriate official of the United States Government, or the County Judge, 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

- | | |
|--------|---|
| 245.00 | Special election for the levy of an emergency telephone service in the amount of twelve percent (12%). |
| 245.01 | Special election for the levy of an emergency telephone service charge in the amount of five percent (5%) of the tariff rate. |
| 245.02 | Violation of disaster/emergency plan. |
| 245.03 | Fee for 9-1-1 emergency telephone system. |
| 245.04 | Emergency successors. |

Flooding

- | | |
|--------|------------------------|
| 250.00 | Flood prevention plan. |
|--------|------------------------|

General

§ 245.00 SPECIAL ELECTION FOR THE LEVY OF AN EMERGENCY TELEPHONE SERVICE IN THE AMOUNT OF TWELVE PERCENT (12%).

- 1) A special election is hereby called on the issue of the additional levy of an emergency telephone service charge to the total amount of twelve percent (12%) of the tariff rate to

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be applied uniformly to all service in Logan County, Arkansas, said election to be held on Tuesday, May 6, 1997.

- 2) That the ballot title for such election shall be as follows:

For the levy of an emergency telephone service charge in the total amount of twelve percent (12%) of the tariff rate for the maintenance of a uniform emergency telephone number, 9-1-1.

Against the levy of an emergency telephone service charge in the total amount of twelve percent (12%) of the tariff rate for the maintenance of a uniform emergency telephone number, 9-1-1.

- 3) The Logan County Election Commission shall conduct such election as provided by law. ([Ord. 1997-006](#), passed 03-10-1997)

§ 245.01 SPECIAL ELECTION FOR THE LEVY OF AN EMERGENCY TELEPHONE SERVICE CHARGE IN THE AMOUNT OF FIVE PERCENT (5%) OF THE TARIFF RATE.

- 1) That the recitations set forth hereinabove are true and correct and declared a part of this enactment.
- 2) A special election is hereby called on the issue of the levy of an emergency telephone service charge in the amount of five percent (5%) of the tariff rate to be applied uniformly to all service in Logan County, Arkansas on Tuesday, January 28, 1992.
- 3) That the ballot title for such election shall be as follows:

“For the levy of an emergency telephone service charge in the amount of five percent (5%) of the tariff rate, for the establishment of a uniform emergency telephone number, 9-1-1”.

“Against the levy of an emergency telephone service charge in the amount of five percent (5%) of the tariff rate for the establishment of a uniform emergency telephone number, 9-1-1”.

- 4) The Logan County Election Commission shall conduct such election as provided by law. ([Ord. 1991-053](#), passed 11-18-1991)

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§ 245.02 VIOLATION OF DISASTER/EMERGENCY PLAN .

- 1) If a declaration of a local disaster and/or emergency is called by the Executive Officer of Logan County under Act 511 of 1973 and person found in violation or any part of the declaration of the local emergency, shall be guilty of a misdemeanor, and punishable upon conviction by a fine of not less than twenty-five dollars (\$25.00), nor more than two hundred fifty dollars (\$250.00) per occurrence.

- 2) EMERGENCY CLAUSE. An emergency is hereby declared to exist due to the current drought conditions creating an exceptionally high fire hazard being a threat to the property, health, safety, and welfare of the citizens of Logan County.
([Ord. 1988-023](#), passed 07-11-1988)

§ 245.03 FEE FOR 9-1-1 EMERGENCY TELEPHONE SYSTEM.

- 1) A five percent (5%) service charge shall be levied on the basic tariff rate approved by the Arkansas Public Service Commission telephone lines of the telephone systems within Logan County for the implementation and operation of an enhanced 9-1-1 emergency telephone and communications system serving Logan County.

- 2) Said five percent (5%) service charge shall begin to be collected thirty (30) days after passage of this Ordinance.

- 3) Said service charge shall be collected by the various telephone companies servicing the Logan County area and shall be subject to the appropriate administrative fee as outlined by State Statute.

- 4) Said service charge shall be turned over to the Logan County Treasurer on a quarterly basis, less the said administrative fee.
([Ord. 1992-006](#), passed 06-08-1992)

§ 245.04 EMERGENCY SUCCESSORS.

- 1) The County Judge and the County Sheriff are hereby authorized to designate in writing to be filed with the County Clerk, a list, in order of precedence, of persons designated to succeed and fill such office in the event of an attack as described above, and in the Emergency Interim Executive and Judicial Succession Act (A.C.A §§ 21-1-301, et seq.), and such persons so designated, in case of such attack shall succeed in the order thereof designated during the term of such emergency, and shall have such powers as set forth in said act.

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- 2) EMERGENCY CLAUSE. 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. ([Ord. 2009-018](#), passed 07-13-2009)

Flooding

§ 250.00 FLOOD PREVENTION PLAN.

- 1) STATUTORY AUTHORITY. The Legislature of the State of Arkansas has in Ark. Code Ann. § 14-268-101, et seq., delegated the responsibility of local governmental units to adopt regulations to minimize flood losses. Therefore, the Quorum Court of Logan County, Arkansas does hereby ordain as follows:
- 2) FINDINGS OF FACT.
- a. The Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of Logan County in the current scientific and engineering report entitled “The Flood Insurance Study (FIS) for Logan County, Arkansas and Incorporated Areas” dated June 2, 2011, with an effective Flood Insurance Rate Map (FIRM) dated June 2, 2011.
 - b. These Special Flood Hazard Areas are subject to periodic flooding events that result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
 - c. These periodic flooding events are exacerbated by the cumulative effect of floodplain developments which cause an increase in flood heights and velocities, and by the placement of inadequately elevated, inadequately floodproofed or otherwise unprotected structures or uses vulnerable to floods into Special Flood Hazard Areas. Such structures or uses are inherently hazardous to other lands because of their adverse impact on flooding events.
- 3) STATEMENT OF PURPOSE. The purpose of this Ordinance is to promote the public health, safety and general welfare, to prevent adverse impacts from any floodplain development activities, and to minimize public and private losses due to flooding events in identified Special Flood Hazard Areas. This Ordinance advances the stated purpose through provisions designed to:
- a. Protect human life and health;

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

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improvements, roadway or bridge construction, individual water or sewer installations and other activities) which may increase flood damage by increasing flood elevations, flood water velocities, or flood discharge patterns;

- e. This Ordinance regulates the construction of flood barriers which unnaturally divert floodwaters or which may adversely impact other lands.
- 6) FLOOD DAMAGE PREVENTION CODE ADOPTED BY REFERENCE. There is hereby adopted by reference a “Flood Damage Prevention Code for Logan County, Arkansas and Incorporated Areas” dated June 2, 2011. This code shall include:

- ARTICLE 1 DEFINITIONS
- ARTICLE 2 ADMINISTRATION
- ARTICLE 3 PROVISIONS FOR FLOOD HAZARD REDUCTION

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

- 7) ABROGATION AND GREATER RESTRICTIONS. This Ordinance does not repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Whenever there is a conflict or overlap between this Ordinance and another ordinance, easement, covenant, or deed restrictions, the instrument with the more stringent restrictions applies.
- 8) INTERPRETATION. In the interpretation and application of this Ordinance, all provisions must:
- a. Be considered as minimum requirements;
 - b. Be liberally construed in favor of the governing body; and
 - c. Be deemed to neither limit nor repeal any other powers granted under State statutes.
- 9) WARNING AND DISCLAIMER OF LIABILITY. The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes. Documented scientific and engineering data form the basis for these requirements. On rare occasions, flooding events greater than those considered for this Ordinance will occur. In addition, flood heights may increase over time due to man-made or natural causes. This Ordinance does not imply that land outside Special Flood Hazard Areas will be free from flooding, nor that strict adherence to this Ordinance protects uses permitted within Special Flood

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Hazard Areas from all flood damages. This Ordinance specifically does not create liability on the part of the community, nor any official or employee of the community, for any flood damages that result while strictly following this Ordinance, or from any lawful administrative decision made under the provisions of this Ordinance.

- 10) COMPLIANCE. Constructing, locating, substantially altering or changing the use of any structure or land after the effective date of this Ordinance requires full compliance with the provisions of this Ordinance and all other applicable regulations.
- 11) PENALTY FOR NON-COMPLIANCE. Flood hazards are reduced by compliance with the provisions of this Code. Accordingly, enforcement of this Ordinance discourages non-compliance and is a recognized mechanism for flood hazard reduction.
- a. The Floodplain Administrator must enforce the provisions of this Ordinance and is authorized to:
 - b. Issue cease and desist orders on non-compliant floodplain development projects;
 - c. Issue citations for non-compliance;
 - d. Request that FEMA file a 1316 Action (Denial of Flood Insurance) against non-compliant properties; and
 - e. Take any other lawful action necessary to prevent or remedy any instance of non-compliance with the provisions of this Ordinance.
 - i. It is a misdemeanor to violate or fail to comply with any provision of this Ordinance.
 - ii. Any person found in a court of competent jurisdiction, guilty of violating this Ordinance is subject to fines of not more than \$500.00 per day for each violation; in addition the defendant is subject to payment of all associated court costs and costs involved in the case.
- 12) SEVERABILITY. If any court of competent jurisdiction finds that any section, clause, sentence, or phrase of this Ordinance is invalid or unconstitutional, that finding in no way affects the validity of the remaining portions of this Ordinance.
- 13) EMERGENCY CLAUSE. It is hereby found and declared by Logan County and Incorporated Areas that severe flooding has occurred in the past within its jurisdiction and will

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certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this Ordinance become effective immediately. Therefore, an emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

([Ord. 1980-109](#), passed 12-08-1980; Am. [Ord. 1988-004](#), passed 01-04-1988; Am. [Ord. 1988-018](#), passed 06-13-1988; Am. [Ord. 2003-022](#), passed 10-13-2003; Am. [Ord. 2011-011](#), passed 05-09-2011; Am. [Ord. 2018-011](#), passed 05-14-2018)

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Article VI. COUNTY FUNDS AND FEES

Section

260.00	Law enforcement investigation fund.
260.01	Child support enforcement fund.
260.02	Marriage license fee.
260.03	Juror fees.
260.04	Drug enforcement fund.
260.05	Fish and wildlife conservation fund.
260.06	Trial public defender system; additional five dollars (\$5.00) in court costs.
260.07	Fee for voter registration lists.
260.08	15 th Judicial District victim assistance program and Prosecutor's victim/witness fund.
260.09	Sheriff's office travel fund.

§ 260.00 LAW ENFORCEMENT INVESTIGATION FUND.

- 1) There is hereby created a fund entitled "Law Enforcement Investigation Fund." All monies received by the Sheriff from voluntary contributions and forfeitures shall be deposited in this account with the Treasurer's Office.
- 2) Funds expended from this account shall be for the expense incurred as a result of a criminal investigation or for the purchase of equipment necessary for a criminal investigation, for illegal drug control, drug surveillance, and "buy" money.
- 3) The Sheriff is hereby appropriated the sum of \$4,900.00, to be funded by \$4,900.00 from the One Cent Sales and Use Tax Fund and all other funds will be from contribution and forfeitures. The Prosecuting Attorney for the 15th Judicial District is hereby appropriated the sum of \$100.00, to be funded by \$100.00 from the One Cent Sales and Use Tax Fund and all other funds will be from contributions and forfeitures.
- 4) The sum of \$5,000.00 is hereby transferred from the One Cent Sales and Use Tax Fund to the Law Enforcement Investigation Fund.

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- 5) The Quorum Court shall appropriate all funds received from contributions and forfeitures for the purpose of this Ordinance and the Sheriff and the Prosecuting Attorney may withdraw such funds as are necessary from time to time by making demand upon the County Treasurer for payment of an amount as deemed necessary by the Sheriff or the Prosecuting Attorney's discretion for the purpose to be accomplished by this Ordinance. Said money shall be received by the treasurer to said officers.
([Ord. 1985-038](#), passed 08-13-1985)

§ 260.01 CHILD SUPPORT ENFORCEMENT FUND.

- 1) Because of receipt of child support fees by the Circuit Clerk, anticipated County Revenues is hereby increased \$9,000.00.
- 2) Account Code 5000-01 and Ledger Account 40, Child Support Enforcement, is hereby established and the sum of \$8,100.00 is appropriated thereto.
- 3) The Treasurer and County Clerk are hereby directed to maintain the aforesaid account separate from all other funds and accounts.
([Ord. 1986-054](#), passed 11-17-1986)

§ 260.02 MARRIAGE LICENSE FEE.

- 1) An additional fee of \$10.00 is hereby levied on each application for marriage license. Such fee shall be collected by the County Clerk at the time application is made.
- 2) The County Clerk shall transmit the ten dollar (\$10.00) fee to the State Treasurer who shall deposit it in the Children's Trust Fund.
- 3) EMERGENCY CLAUSE. 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. 1989-015](#), passed 04-10-1989; Am. [Ord. 1993-014](#), passed 06-14-1993)

§ 260.03 JUROR FEES.

- 1) Daily juror fees paid by Logan County are hereby increased to \$10.00 per juror per day. Daily mileage of 10¢ per mile is hereby retained.
- 2) REPEALER. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.
([Ord. 1991-073](#), passed 12-09-1991)

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§ 260.04 DRUG ENFORCEMENT FUND.

- 1) The Logan County Drug Enforcement Fund is hereby created to be administered by the Sheriff of Logan County Arkansas pursuant to the authority of Act 362 of 1997.
- 2) Due to unanticipated receipt of \$8,445.00 anticipated revenue available for appropriation is hereby increased \$7,600.50, Drug Enforcement Fund. Such funds shall be deposited by the Sheriff in a Drug Enforcement Fund bank account to be established at a bank located within the State of Arkansas authorized by law to receive the deposit of public funds.
- 3) The maximum amount of funds in the Logan County Drug Enforcement shall not exceed \$10,000.00, including funds appropriated and funds on hand in the Logan County Drug Fund. No funds from sources other than that appropriated by the Quorum Court shall be deposited into the Logan County Drug Enforcement Fund, including, without limitation, any funds or property seized or ordered reimbursed by any Court, such funds when received shall be deposited with the Logan County Treasurer, and may be subject to appropriation at the discretion of the Quorum Court of Logan County.
- 4) Drug Enforcement Funds may only be used for direct expenses associated with the investigation of the criminal drug laws of this State such as but not limited to the purchase of evidence, payment of informants, relocation and/or security of witnesses, emergency supplies and emergency travel expenses.
- 5) No Drug Enforcement Funds shall be used for purchase or lease of equipment, salaries or wages, professional services, training, or any other purpose not directly related to a criminal drug investigation. Further, no Drug Enforcement Funds shall be used for administrative costs associated with the Sheriff's office.
- 6) 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 Division of Legislative Audit.
([Ord. 1998-007](#), passed 04-13-1998)

§ 260.05 FISH AND WILDLIFE CONSERVATION FUND.

- 1) WHEREAS, pursuant to A.C.A. § 15-41-209 monies hereinafter received by Logan County from the Game Protection Fund shall be deposited in the County General School Fund and the County Treasurer shall distribute said funds based on previous year ADM to the four school districts located within Logan County to be expended by said school districts for fish and wildlife conservation education.

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- 2) EMERGENCY CLAUSE. This Ordinance being necessary for the preservation of the public peace, health, and safety shall be in full force and effect upon passage of this Ordinance. ([Ord. 2004-020](#), passed 09-13-2004)

§ 260.06 TRIAL PUBLIC DEFENDER SYSTEM; ADDITIONAL \$5.00 IN COURT COSTS.

- 1) The office of Logan County Trial Public Defender is hereby approved for creation by the judges of courts of record within Logan County, and the Logan County Judge, pursuant to Act 1193 of 1993.
- 2) There shall be assessed, in addition to the sums now being collected for indigent defense, an additional sum of five dollars (\$5.00) for the office of the Logan County Trial Public Defender, the same being mandatory under Act 1193 of 1993, and the Clerks of the Circuit, Chancery, Juvenile, Probate and Municipal Courts in Logan County shall assess such fees as costs in each civil case filed in the respective courts, except small claims court, and in the case of alleged criminal or traffic violation, upon each plea of guilty, nolo contendere, a finding of guilty by judge or jury of such court or in the case of any bond forfeiture in such court. Provided however, that the Clerks of the Court shall keep accurate records of such fees, and shall transmit \$1.00 of said costs to the State Trial Public Defender Commission, and the remaining \$4.00 of said costs to the Treasurer of Logan County, to be kept as provided by law.
- 3) Further, in addition to those sums provided to be collected by Section 2 hereof, there shall be assessed, in addition to the sums now being collected for indigent defense, an additional sum of five dollars (\$5.00) for the office of the Logan County Trial Public Defender, the same being optional under Act 1193 of 1993, and the Clerks of the Circuit, Chancery, Juvenile, Probate and Municipal Courts in Logan County shall assess such fees as costs in each civil case filed in the respective courts, except small claims courts, and in the case of alleged criminal or traffic violation, upon each plea of guilty, nolo contendere, a finding of guilty by judge or jury of such court or in the case of any bond forfeiture in such court. Provided however, that the Clerks of the Court shall keep accurate records of such fees and shall transmit said costs to the Treasurer of Logan County, to be kept as provided by law.
- 4) Further, in addition to the above, there shall be assessed, in addition to the sums now being collected for indigent defense, an additional sum of four dollars (\$4.00) for the purposes of investigative expenses associated with indigent defense, the same being provided under Act 1193 of 1993, and the Clerks of the Municipal Courts in Logan County shall assess such fees as costs in each civil case filed in the respective courts, except small claims court, and in the case of alleged criminal or traffic violations, upon

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each plea of guilty, nolo contendere, a finding of guilty by judge or jury of such court or in the case of any bond forfeiture in such court. Provided however, that the Clerks of the Court shall keep accurate records of such fees and shall transmit said costs to the Treasurer of Logan County, to be kept as provided by law.

- 5) EMERGENCY CLAUSE. This Ordinance being necessary for preservation of the public peace and safety and to assure for the orderly operation of the judicial system, an emergency is hereby declared to exist, and this Ordinance shall take effect upon passage hereof.

([Ord. 1993-012](#), passed 06-14-1993; Am. [Ord. 1993-033](#), passed 10-11-1993)

§ 260.07 FEE FOR VOTER REGISTRATION LISTS.

- 1) Registered voter identification and addresses purchased through the County Clerk by a private citizen or a private entity shall be purchased at a rate of \$.02 per name.
- 2) The above-listed fee shall be collected by each County Clerk and \$.01 shall be remitted to the County Treasurer and \$.01 shall be remitted to the State Treasurer.

([Ord. 1993-039](#), passed 11-08-1993)

§ 260.08 15TH JUDICIAL DISTRICT VICTIM ASSISTANCE PROGRAM AND PROSECUTOR’S VICTIM/WITNESS FUND.

- 1) Pursuant to A.C.A. § 16-21-106 and 1991 Arkansas Acts 904 and 124, there is enacted by this Court an additional court cost upon each conviction, plea of guilty, plea of nolo contendere, or bond forfeiture in felony, misdemeanor, and traffic violation cases, for violations of State Law or Logan County Ordinance, and upon each civil action filed in all courts of this County, including Circuit, Chancery, Municipal, City and Police Courts, in the amount of Three Dollars, (\$3.00) per case.
- 2) This Cost is assessed for the purpose of benefitting victims of crime in Logan County. Funds collected by this assessment shall be deposited into a special fund on the County Treasurer’s book, to be used solely by the Prosecuting Attorney in the creation, maintenance and operation of a “PROSECUTOR’S VICTIM/WITNESS FUND.” Funds collected by this assessment may also be used to match a federal Victims of Crime Act grant and/or other related federal monies which may become available. The victims of crime, their families, and witnesses to crime who are involved in the criminal justice system. Funds Collected by this assessment shall be used exclusively for the cost of the Victim/Witness Program.

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- 3) There is hereby created the position of VICTIM/WITNESS COORDINATOR. This position shall be effective on July 1, 1994, at an annual salary rate of \$4,500.00 (Logan County portion). Increases in salary shall be determined in the regular county budget.

- 4) EMERGENCY CLAUSE. It is hereby deemed by this Court that an emergency exists, in that the above cost is necessary in order for there to be an efficient and effective administration of justice. It is necessary to immediately enact the Victim/Witness Program for the effective aid to victims and witnesses who become involved in the criminal justice system. It is the intent of this Court that this emergency Ordinance shall be effective immediately upon such passage.
([Ord. 1994-016](#), passed 06-13-1994)

§ 260.09 SHERIFF'S OFFICE TRAVEL FUND.

- 1) There is hereby established a Sheriff's Office Travel Reimbursement Fund in an amount not to exceed \$1,000.00, which fund shall be maintained by the Logan County Sheriff's Office and used to reimburse properly documented travel expenses by employees of such office.
([Ord. 2012-004](#), passed 02-13-2012)