

SIMPSON COUNTY ADMINISTRATIVE CODE

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County Attorney
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April 2, 2024

**ORDINANCE NO. 230.32
AN ORDINANCE RELATING TO THE
AMENDMENT OF THE ADMINISTRATIVE CODE
FOR SIMPSON COUNTY**

Whereas, The Simpson County Fiscal Court recognizes the need for minor updates and amendments to the current version of the Administrative Code, and

Whereas, The Simpson County Fiscal Court recognizes that its overall administrative and personnel operations will be greatly enhanced by the adoption of these amendments, and

Whereas, It is the desire of the Simpson County Fiscal Court that this amended Administrative Code be effective on April 2, 2024, repealing and replacing the prior existing Administrative Code.

NOW THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF SIMPSON, COMMONWEALTH OF KENTUCKY THAT:

THIS ORDINANCE, NO. 230.32, SHALL BECOME EFFECTIVE ON SECOND READING AND ADOPTION.

INTRODUCED AND GIVEN FIRST READING at a duly convened meeting of the Fiscal Court of Simpson County, Kentucky held on the 19th day of March 2024,

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Simpson County, Kentucky held on the 2nd day of April 2024 and of record in Fiscal Court Order Book 16, Page 592.

**MASON BARNES
SIMPSON COUNTY/JUDGE EXECUTIVE**

INTRODUCTION

PURPOSE AND AUTHORITY

House Bill 33 dated Thursday, February 23, 1978, was enacted by the General Assembly of the Commonwealth of Kentucky to create a new Section of KRS 68 for the purpose of sound and efficient administration of County government. Also, in 1986 Senate Bill 352 amended KRS 68.005 to include among other things an annual review of the County administrative code.

Kentucky Revised Statutes Chapter 68.005, as amended states:

1. The Fiscal Court shall adopt a County administrative code which includes, but not limited to, procedures and designation of responsibility for:
 - A. General administration of the office of Judge/Executive, County administrative agencies and public authorities;
 - B. Administration of the County affairs, including budget formulation, receipt and disbursement of County funds and preparation of records required for the County audit, and the filing of claims against the County;
 - C. Personnel administration, including description and classification of the non-elected positions, selection, assignment, supervision and discipline of employees, employee complaints, and the County affirmative action program;
 - D. County purchasing and award of contracts; and
 - E. Delivery of all County services.
2. The Fiscal Court shall review the County administrative code annually during the month of June and may by a two – thirds (2/3) majority of the entire Fiscal Court amend the County Administrative Code at the time, the Judge/Executive may at other times prepare and submit amendments to the code for the approval of the majority of the Fiscal Court.

The Judge/Executive, as the chief executive officer of the County, is directly responsible for the organization and management of the administrative functions of the County government. While it is the Fiscal Court, which determines County needs, policies, and priorities for meeting those needs, the Judge/Executive must see that these policies and priorities are effectively and properly executed.

The Statutes provide only general guidance as to the form and substance of a County's internal administrative organization. This code, if continually monitored by the Judge/Executive and the Fiscal Court, will provide the intended objective. This code should not be confused with an employment contract and is in no way intended to be one. Employees need to understand and realize that the Commonwealth of Kentucky, by law, is an "at will" state which means that employee's work at the will of their

employer, in this case, Simpson County.

The importance and objective of this review and monitoring by County officials is to maintain a viable code that provides the necessary substance for appropriate internal administrative control consistent with the statutory requirements and local needs. Close adherence to the code will ensure that this objective is maintained.

It should be noted, this code is not a contract for employment and is not intended to be such. This code provides a comprehensive tool for administration that is consistent with statutory requirements. This code provides limitations, general rules, guidelines, etc., as well as the desires of the community as represented by the members of the Fiscal Court.

TABLE OF CONTENTS

<u>Chapter 1:</u>	<u>General Administration</u>
Section 1.1	Judge/Executive
Section 1.2	Appointment Procedures for Deputy Judge/Executive
Section 1.3	Procedures for Appointment of Administrative Personnel and Members of Boards and Commissions
Section 1.4	Procedures for Organization/Reorganization of County Departments and Agencies
<u>Chapter 2:</u>	<u>Financial Management</u>
Section 2.1	Budget Preparation
Section 2.2	Budget Hearing Procedures and Requirements
Section 2.3	Procedures and Duties of the County Treasurer
Section 2.4	Procedures for Fiscal Administration
Section 2.5	Claims Against the County
<u>Chapter 3:</u>	<u>Personnel Administration</u>
Section 3.1	Statement of Purpose
Section 3.2	Personnel Administration
Section 3.3	Scope of Coverage
Section 3.4	Personnel Records
Section 3.5	False Credentials
Section 3.6	Employment of Relatives (Nepotisms)
Section 3.7	Orientation of Newly Employed Personnel
Section 3.8	Equal Opportunity
Section 3.9	ADA Statement
Section 3.10	Classification Plan
Section 3.11	Amendments
Section 3.12	County Pay Plan
Section 3.13	Status of Employment
Section 3.14	Placement Policy
Section 3.15	Method for Filling Vacancies
Section 3.16	Announcement of Vacancies
Section 3.17	Applications and Forms
Section 3.18	Certification of Eligibility for Positions
Section 3.19	Initial Probation Period
Section 3.20	Transfers
Section 3.21	Promotions
Section 3.22	Disciplinary Action
Section 3.23	Resignations
Section 3.24	Reinstatement and Rehires
Section 3.25	Retirement
Section 3.26	Medical Examinations
Section 3.27	Political Activity
Section 3.28	Inclement Weather
Section 3.29	Lay Off
Section 3.30	Gifts and Gratuities
Section 3.31	Personal Conduct, Appearance and Hygiene
Section 3.32	Safety and Injuries
Section 3.33	Sexual Harassment Policy

Section 3.34	Drug/Alcohol Abuse Policy
Section 3.35	Drug/Alcohol Testing Policy
Section 3.36	Drug Free Workplace Certification
Section 3.37	Hours of Work
Section 3.38	Workweek
Section 3.39	Overtime
Section 3.40	Wage Increases
Section 3.41	Holidays
Section 3.42	Annual Leave (Vacation Leave)
Section 3.43	Leave Sharing Policy for Medically Certified Absences
Section 3.44	Disability Leave
Section 3.45	Parental Leave
Section 3.46	Funeral Leave
Section 3.47	Special Leave
Section 3.48	Military Leave
Section 3.49	Civil Leave (Jury Duty)
Section 3.50	Voting Leave
Section 3.51	Blood Donation Leave
Section 3.52	Health Insurance
Section 3.53	Retirement Benefits
Section 3.54	Unemployment Insurance
Section 3.55	Worker's Compensation
Section 3.56	Expense Reimbursement
Section 3.57	Family and Medical Leave Act (FMLA)
Section 3.58	Training and Career Development
Section 3.59	Grievance Procedure
Section 3.60	Cell Phone Use Policy
Section 3.61	Fiscal Court Meeting Attendance

Chapter 4: Purchases and Contracts

Section 4.1	Authorization of County Contracts
Section 4.2	Selection of Vendors and Contractors (Sealed Bids)
Section 4.3	Procedures for Determinations of Qualifications of Bidders
Section 4.4	Prerequisites for Use of Negotiated Process (Emergency)
Section 4.5	Procedures for Negotiated Process
Section 4.6	Small Purchase Procedures
Section 4.7	Storage and Inventory Control
Section 4.8	Procedures for Disposition of Surplus Property

Chapter 5: Delivery of County Service

Section 5.1	Establishment of County Road Department
Section 5.2	Duties of Road Supervisor
Section 5.3	County Road Inventory/Condition
Section 5.4	Specifications for County Roads
Section 5.5	Other County Services

Chapter 6: Operation of Simpson County Fiscal Court

Section 6.1	Procedures for Meetings of the Fiscal Court
Section 6.2	Presiding Officer
Section 6.3	Quorum
Section 6.4	Order of Business
Section 6.5	Fiscal Court Records and Minutes
Section 6.6	Ordinances, Orders and Resolutions

Chapter 7: Other County Services and Policies

Section 7.1 Equal Opportunity

Section 7.2 Simpson County Investment Policy

Chapter 8: Other County Services and Policies

Section 8.1 Simpson County Information Technology and Cyber Security

Internet & Email Policy Guidelines

CHAPTER 1

GENERAL ADMINISTRATION

Section 1.1: Judge Executive

The Judge/Executive shall be chief executive of the County and shall have all the powers and perform all the duties of an executive and administrative nature consistent with the Kentucky Constitution and the Kentucky Revised Statutes.

The responsibilities and duties of the Judge/Executive are defined in KRS 67.710.

Additional responsibilities of the Judge/Executive are found in KRS 67.715, which includes organization of County functions, special districts and County representation.

The Judge/Executive may appoint office personnel as permitted by KRS 67.710 and consistent with the classification and compensation plan.

Section 1.2: Appointment Procedures for Deputy Judge/Executive

The Judge/Executive, by written executive order, may appoint a Deputy Judge/Executive who shall serve consistent with KRS 67.711 as Judge/Executive in the absence of the Judge/Executive.

The Judge/Executive shall be deemed absent when he/she is physically absent from the County, physically disabled, or prevented by other emergency beyond control which would prevent attending meetings of the Fiscal Court. A vacation, including one taken within the County, shall be considered an absence, if the Judge/Executive is unreachable and/or unable to attend any meeting or respond to an emergency.

Such appointment of a Deputy Judge/Executive shall continue until such time as the Judge/Executive publishes a written revocation of the appointment or makes a new appointment or upon the resignation of the Deputy County Judge/Executive.

In the absence of the elected Judge/Executive, the Deputy Judge/Executive shall have all administrative powers and authority as the Judge/Executive. The Deputy Judge/Executive shall not chair or vote on the Fiscal Court.

Section 1.3: Procedures for Appointment of Administrative Personnel and Members of Boards and Commissions

The Judge/Executive shall nominate qualified persons to serve in administrative positions and on boards and commissions. Such appointments shall be reported at a meeting of the Fiscal Court. If state law requires approval by the Fiscal Court of the nomination, and the Fiscal Court does not act on the nomination within the sixty (60) day time period, said nomination will be deemed approved by the Fiscal Court.

No person shall be selected as a member of a board or commission or for an administrative position if that person holds or is employed in a position that is incompatible with the one for which they are nominated.

In the event the Fiscal Court rejects the nominee, the Judge/Executive shall submit additional nominations, not to exceed ten (10) for any one position; and if Fiscal Court rejects all ten (10), the Judge/Executive shall appoint a person to serve on a temporary basis, not to exceed one year.

When state law does not require Fiscal Court approval of an appointment, the Judge/Executive shall make that appointment. Within thirty (30) days of making the appointment, the Judge/Executive shall notify the Fiscal Court of the appointment.

Section 1.4: Procedures for Organization/Reorganization of County Departments and Agencies

- A. The Judge/Executive may create, abolish or combine any County department or agency or transfer a function from one department or agency to another, provided the Judge/Executive submits a plan to the Fiscal Court, which describes the service and functions to be performed by each department, agency, commission or special district both current and proposed.
- B. The plan should state the need, how the reorganization will meet the need, the services and functions to be expanded, abolished, or reduced as a result of the plan, costs associated with the plan, and the plan's impact on existing and/or proposed personnel and services.
- C. The plan should be submitted to the Fiscal Court for approval. If no action is taken, or the plan is not disapproved by the Fiscal Court, within thirty (30) days, the plan shall become effective.

CHAPTER 2

FINANCIAL MANAGEMENT

Section 2.1: Budget Preparation Procedures

Judge/Executive's Responsibilities

- A. The Judge/Executive shall prepare a proposed budget for review and adoption by the Fiscal Court as provided in KRS 68.240, as well as any rules and regulations prescribed by the State Local Finance Officer.
- B. On or before April 1 of each year, every County agency, department, public authority and County office that receives County funds shall submit to the Judge/Executive a written budget request showing the amount of funds requested and brief explanation of need.
- C. On or before April 1 of each year the Judge/Executive, County Treasurer and Jailer shall prepare and submit a Jail budget to the Fiscal Court, as required by KRS 441.215.
- D. The Judge/Executive shall submit the complete proposed budget to the Fiscal Court no later than May 1 of each year.
- E. The Judge/Executive shall cause a copy of the proposed budget to be posted in a conspicuous place in the courthouse near the front door ten (10) days before final adoption.
- F. The Judge/Executive shall advertise the notice of adoption of the budget ordinance in the local newspaper of general circulation in Simpson County at least seven (7), but not more than twenty-one (21) days before final adoption by the Fiscal Court.
- G. The Judge/Executive shall publish a summary of the budget ordinance in a newspaper of general circulation in Simpson County at least ten (10) days before final adoption by the Fiscal Court. Note: This and the preceding notice may be advertised together, so long as the time requirements are correct.
- H. The Judge/Executive shall certify to the State Local Finance Officer a copy of the original budget ordinance as approved by his/her office within fifteen (15) days of adoption, indicating clearly all changes made by Fiscal Court.
- I. Following action by Fiscal Court, but not later than June 10, the Judge/Executive shall submit two copies of the budget to the State Local Finance Officer for approval as to form classification.
- J. Within thirty (30) days of adoption of the budget ordinance by the Fiscal Court, the Judge/Executive shall cause a summary of the budget ordinance to be published in the newspaper of general circulation in the County.
- K. The Judge/Executive shall maintain a copy of the budget as adopted, together with any amendments adopted thereafter, for public inspection.

Fiscal Court's Responsibilities

- A. Not later than June 1 of each year, the Fiscal Court shall review in detail the proposed budget, including the Jail budget, the Judge/Executive has prepared and submitted.
- B. The Fiscal Court shall make comments, amendments, and tentatively approve the proposed budget by reading it publicly. This shall take place prior to the Judge/Executive submitting the budget to the State Local Finance Officer.
- C. The budget shall be reviewed and approved by the State Local Finance Officer then submitted to the Fiscal Court for adoption no later than June 30.

Section 2.2: Budget Hearing Procedures and Requirements

- A. During the County budget preparation process, the Fiscal Court shall conduct a public hearing on the County Road Aid (CRA) fund. The procedure shall be as follows:
 - 1. Publish notice of the proposed use hearing on the CRA Fund at least seven (7) days but no more than twenty-one (21) days in advance of the scheduled meeting.
 - 2. Copies of the published notice and written minutes of the hearing shall be maintained by the Judge/Executive as public record.
- B. Prior to adoption of the County budget and submittal to the State Local Finance Officer, a budget hearing shall be conducted by the Fiscal Court on the Local Government Economic Assistance (LGEA) Fund. The hearing process required for the adoption of these two (2) funds may be coordinated in such a manner that both requirements (CRA and LGEA) are addressed at the same hearing. The proceedings for LGEA hearing shall be as follows:
 - 1. Notice of the budget hearing shall be published at least seven (7) days but no more than twenty-one (21) days prior to the schedule hearing.
 - 2. Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge/Executive as public record.

Section 2.3: Procedures and Duties of the County Treasurer

- A. The Treasurer shall keep records and make reports as set forth in KRS 68.210, 68.020, 68.360 and other provisions of KRS. Also, the Treasurer shall maintain the following records as required by the Uniform System of Accounts for counties. The requirements are subject to change.
 - 1. Cash Receipts Journal and Cash Receipts Ledger
 - 2. Check Distribution Ledger
 - 3. Appropriation Ledger
 - 4. General Ledger
 - 5. Investment Journal
 - 6. Subsidiary Ledgers and Journals
 - 7. Account of each individually:
 - a. General Fund
 - b. Road Fund
 - c. Jail Fund
 - d. LGEA Fund

- e. Special accounts as may be necessary
- B. Prepare financial reports for the Fiscal Court and Jailer each month pursuant to KRS 68.360 and KRS 441.235.
- C. Prepare a quarterly financial statement for the State Local Finance Officer.
- D. Prepare and publish an annual financial statement pursuant to KRS 424.220.
- E. Countersign checks per the following conditions:
 - 1. Claim has been reviewed by the Fiscal Court,
 - 2. There is a sufficient fund balance and cash in the bank to cover the check, and
 - 3. There is adequate free balance in a properly budgeted appropriation account to cover the check.
- F. The Treasurer is the sole officer bonded to receive and disburse county funds.

Section 2.4: Procedures for Fiscal Administration

Judge/Executive

- A. The Judge/Executive is responsible for administering the provisions of the County Budget Ordinance when adopted by the Fiscal Court. All or part of the financial management duties may be assigned to the Finance Officer and may include, but not be limited to:
 - 1. Receipt of all claims against the county,
 - 2. Prepare and submit a master claims list to the Fiscal Court for review,
 - 3. Prepare checks on claims reviewed by the Fiscal Court,
 - 4. Co-sign all checks with County Treasurer,
 - 5. Maintain an appropriation ledger,
 - 6. Reconcile the appropriation ledger with the treasurer's appropriation ledger at least once a month,
 - 7. Issue purchase orders and maintain a purchase order ledger, and
 - 8. Maintain time and attendance records, including vacation, sick leave, etc.
- B. The Judge/Executive shall pay all financial claims against the County after approval by the Fiscal Court. However, some claims as outlined in Section 2.5 "Claims Against the County" may be paid prior to Fiscal Court approval. All such claims shall be within the line item amounts of the County budget.
- C. The Judge/Executive shall be responsible for preparing and signing all warrants directing the County Treasurer to make payment authorized by the Fiscal Court and maintaining a record of such warrants.
- D. At the close of each fiscal year, the Judge/Executive shall prepare records necessitated by the annual County audit. The annual audit may be conducted by the State Auditor of Public Accounts or a certified public accountant.

Section 2.5: Claims Against the County

- A. The Judge/Executive shall account for all claims against the County.
- B. Anyone with a claim for payment from County funds shall file it in writing.
- C. Each claim shall be recorded by date of receipt and presented to the Fiscal Court at its next regular meeting.
- D. Each claim shall designate the budget fund and classification from which the claim will be paid, and each warrant shall specify the budget fund and classification.
- E. The payroll for County officials, employees, utility bills, and recurring expenses, such as interest and principal on bonded debt, are not required to be approved by the Fiscal Court prior to payment. However, all such paid expenses shall be presented to Fiscal Court for approval at the next regular meeting. This procedure is intended to expedite financial management of the County.

CHAPTER 3

PERSONNEL ADMINISTRATION

Section 3.1: Statement of Purpose

- A. The Simpson County Fiscal Court recognizes that a personnel system, which recruits and retains competent, dependable personnel, is indispensable to effective and efficient County government. The administrative code is not a contract for employment and is not intended to be. Kentucky is an "at will" state by law and employees of Simpson County shall be aware that Chapter 3 of this code is not to be interpreted as a contract or confused with one. An acknowledgement of receipt shall be signed and placed in the personnel file of every employee.
- B. These policies and procedures have been developed in order to achieve optimum efficiency, economy and equity in the pursuit of the County's goals and utilization of its human resources. These policies set forth herein are intended to implement the personnel system by providing procedures for:
 1. Classifying positions in the County service
 2. Recruiting personnel for that service
 3. Compensating employees equitably for their service

Section 3.2: Personnel Administration

- A. The Judge/Executive, pursuant to KRS 67.710, shall administer the personnel system set forth herein.
- B. In addition to other duties as set forth in these policies and procedures, the Judge/Executive shall ensure that subsequent amendments or additions by the Fiscal Court be made as follows:
 1. Immediately upon official amendment, the change(s) shall be written in a manner and format consistent with these policies and procedures.
 2. The amending ordinance shall be recorded; and
 3. A memorandum explaining the change(s) with the amendment attached shall be distributed to all employees.
- C. The Judge/Executive shall conduct an annual review of the personnel policy and procedures manual, preferably during the budget preparation process.

Section 3.3: Scope of Coverage

The Simpson County Administrative Code, Chapter 3 (Personnel Administration) as adopted by the Fiscal Court is applicable to all persons employed to positions at all levels in County government, except for the following:

- Elected officials
- Members of boards and commissions
- Independent contractors
- Members of volunteer organizations

Employees of the Jailer, Sheriff, & County Clerk shall be covered by the policies contained herein, unless the appropriate constitutional officer has a separate written personnel policy, which has been prepared and distributed to their employees, and a copy presented to the Fiscal Court and recorded at the office of the Judge/Executive.

Section 3.4: Personnel Records

- A. Beginning the first day of employment, all new employees shall report to the Human Resources Director to complete personnel records, execute payroll withholding authorization, and enroll in the applicable employee benefit programs.
- B. A personnel file, maintained by the Judge/Executive, or appropriate constitutional officer, shall be created for each employee. All relevant information, including application forms, resume, evaluation forms, disciplinary or commendation memoranda, and any other material deemed relevant to the employee's permanent record will be kept in the personnel file which shall be accessible to each respective employee and maintained in the Judge/Executive's office.
- C. It shall be the obligation of the employee and the first line supervisor to maintain current information in the personnel file by notifying the Judge/Executive, or appropriate constitutional officer, of all changes in personal or family status, home address, home telephone number or any other changes which would affect payroll withholding or employee benefits. Supervisors shall forward any commendations, promotions or disciplinary actions to the Judge/Executive, or appropriate constitutional officer, for filing in the employee's individual personnel file.
- D. Every change in the status of the employee shall be recorded in the personnel file.
- E. Every employee will have an opportunity to view Simpson County's Data Breach Policy and Code of Ethics Policy. Both policies will also be accessible on the County's website at www.simpsoncounty.us. If an employee has questions about either policy, it will be their obligation to seek assistance from their supervisor, department head, Judge/Executive or appropriate constitutional officer. If an employee suspects that an actual data breach has occurred, they must notify their immediate supervisor, who in turn must notify the Judge/Executive or appropriate constitutional officer.

Section 3.5: False Credentials

If it should come to the attention of the Judge/Executive, or appropriate constitutional officer, either during the probationary period or thereafter, that an employee was hired on the basis of false credentials, the employee is subject to disciplinary action up to and including immediate dismissal.

Section 3.6: Employment of Relatives (Nepotism)

The Simpson County Ethics Code, which includes a nepotism policy, is adopted by a separate ordinance.

Section 3.7: Orientation of Newly Employed Personnel

- A. An orientation will be made available to all new employees as soon as they are hired. The orientation will consist of an overall orientation of County government and policies conducted by the Judge/Executive, or appropriate constitutional officer, or a designee. As soon as assigned to their department, the new employee shall be given further orientation by the department head. This orientation will address the internal policies, job description, and expectations of the department head and the employee's first line supervisor.
- B. The orientation performed by the Judge/Executive's office, or appropriate constitutional officer, shall consist of at least the following:
 - 1. Explanation of the management policies and administrative procedures,
 - 2. Compensation schedule and employee benefits,
 - 3. Copy of the Administrative Code and departmental policies,
 - 4. Iteration of job duties per job description, and
 - 5. Other elements deemed appropriate.

Section 3.8: Equal Opportunity

Simpson County seeks to provide equal opportunity for its employees and applicants for employment and to prohibit discrimination based on race, color, gender, religion, national origin, disability or age. The County promotes equal opportunity in all matters of hiring promotion, transfer, compensation, benefits, and other conditions of employment.

Section 3.9: ADA and Pregnant Worker's Statement

Simpson County Fiscal Court shall comply with the Americans with Disabilities Act of 1990, and subsequent revisions. The Act prohibits discrimination on the basis of disability and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job, training, fringe benefits and other aspects of employment.

Simpson County will provide reasonable accommodation to qualified individuals with a disability that, with an accommodation, can perform the essential functions of the job classification, unless the accommodation will impose an undue hardship for the County.

Simpson County Fiscal Court shall comply with the Kentucky Pregnant Worker's Act and any subsequent revisions. Simpson County shall make reasonable accommodations for any employee with limitations related to pregnancy, childbirth, or a related medical condition who requests an accommodation unless the accommodation would impose an undue hardship on our program, enterprise, or business.

Moreover, as an employee of Simpson County Fiscal Court, you have the right to be free from discrimination in relation to pregnancy, childbirth, and related medical conditions, including the right to reasonable accommodations.

If you wish to request an accommodation for limitations related to pregnancy, childbirth, or a related medical condition or believe that you have been or are being discriminated against in relation to pregnancy, childbirth or related medical conditions, or if you have any questions, please contact the Human Resources Director.

Section 3.10: Classification Plan

- A. The Judge/Executive, or appropriate constitutional officer, shall be responsible for the preparation of a job classification plan for all non-elected positions.
- B. Each job classification shall be in writing and include:
 - 1. Concise, descriptive title
 - 2. Description of the duties and responsibilities of each position in each Classification
 - 3. Minimum and preferred qualifications for each position.
- C. All positions in a single class shall be sufficiently alike to permit use of a single title, description, qualifications and pay range.

Section 3.11: Amendments

All amendments to the classification plan shall be presented for Fiscal Court approval.

Section 3.12: County Pay Plan

- A. All positions in the classification plan shall be compensated as set forth in the County's pay plan.
- B. The assignment of classes to a pay grade shall be based upon the relative level of difficulty of the duties and responsibilities of the class; the prevailing rates of pay for the work as compared to and competitive with public and private labor markets; and other pertinent wage and economic data.
- D. The Fiscal Court shall approve the schedule of wage rates and ranges and the pay plan adopted or subsequently modified.
- E. Employees may receive wage increases in two different manners: 1) merit raises (based on tenure or certain achievements as established by each department); 2) cost of living adjustment (as determined during the annual budget preparation process).

Section 3.13: Status of Employment

- A. All employees shall be designated as full-time, part-time, seasonal, or temporary.
 - 1. Full-time employee – An employee who works 35 hours per week or more on a regular scheduled basis.
 - 2. Part-time employee – An employee who works less than 35 hours per week on a regular scheduled basis.
 - 3. Seasonal employee – An employee who works in a position which is of a seasonal nature (full-time or part-time) and works no more than nine (9) months during a fiscal year.
 - 4. Temporary employee – An employee who is brought in to work on a specific task for a defined time period.
 - 5. Regardless of employment status, all employees will be compensated by either an hourly rate or annual salary as set by the Fiscal Court.

- B. Only full-time or part-time employees may occupy established positions.
- C. Full-time employees shall be entitled to all benefits provided by Simpson County. Employees may be entitled to health insurance benefits, even if in a position designated at less than full-time, depending on applicable federal law.
- D. No County employee, full or part time, shall be employed by an outside vendor or supplier or goods and/or services to the County department or office within which they work.

Section 3.14: Placement Policy

- A. An appointment to a position shall be made only after the individual being considered has been certified for the position as set forth in Section 3.18 "Certification of Eligibility for Position. This policy applies to new applicants, rehires, transfers and promotions.
- B. Subject to approval by the Fiscal Court, the Judge/Executive shall make appointments by executive order. The order shall state the name of the individual, the appointed position and class, the beginning wage and the beginning date of employment. A copy of the order shall be filed in the individual's personnel file.

Section 3.15: Methods for Filling Vacancies

- A. Promotions: In considering the filling of a vacancy, current employees who meet job requirements should be considered for the position. If the Judge/Executive, or appropriate constitutional officer, determines the needs of the County are best served by employment of external candidates, he/she may recommend the appointment to Fiscal Court that is in the County's best interest.
- B. Transfers: Simpson County may fill vacancies by transferring any current employee who has requested a transfer; provided that the employee meets or exceeds those requirements for the position(s) they have requested transfer to. Transfer request will be treated like applications for employment in that the County will select the most qualified individual to fill the vacancy. Personnel who have requested transfer to vacant positions within the County will also have to compete with applicants who have applied for the vacant position. Additionally, the Judge/Executive, or appropriate constitutional officer, will ensure that any transfer granted will be in the best interest of the County and will not have an adverse effect on the losing department.
- C. Open Application Policy: Simpson County shall accept applications for employment at any time during regular business hours. Current employees may apply for vacant positions within the County provided they meet the qualifications requested by the hiring authority. If the Judge/Executive, or appropriate constitutional officer, determines that a new hire is in the best interest of the County, he/she may advertise to fill the vacancy and select the most qualified candidate from the applications received. If an individual is not selected for whatever reason, their application will be maintained on file at the courthouse for six (6) months. Should a situation arise where the Judge/Executive, or appropriate constitutional officer, needs to fill a vacancy, those applications on file can be used to select an individual to fill a vacant position, provided the applicant is qualified.

- D. Recruitments: If determined by the Judge/Executive, or appropriate constitutional officer, that no current employee has the desired qualifications or he/she determines that it would be in the best interest of the County, he/she may publicly recruit applicants to be considered in filling the vacancy(s). Any such public recruitment shall be in accordance with Section 3.16 "Announcement of Vacancies".

Section 3.16: Announcement of Vacancies

If recruitment is initiated, notices of employment opportunities shall be publicized in the local newspaper and posted to provide interested and qualified persons with an opportunity to apply.

Section 3.17: Applications and Forms

- A. Applicants must apply on forms provided by the County.
- B. Applications will be considered active for six months.
- C. The application form may be subject to change due to state and federal mandates.
- D. The application form shall be reviewed annually. The Judge/Executive shall update and ensure that the form meets the latest requirements.

Section 3.18: Certification of Eligibility for Position

- A. No person may be appointed to a position unless verified information on an official Employment Application indicates that he/she meets the qualifications for the position as set forth in the class specification.
- B. The qualification of an applicant for a position shall be ascertained on the basis of one or more of the following:
 - 1. Information the applicant supplies on the official employment application.
 - 2. Written, performance or physical tests or examinations, or any combination, which may be required by the Judge/Executive, or appropriate constitutional officer.
 - 3. A personal interview conducted by the department head whose organization has the vacancy and/or the Judge/Executive, or appropriate constitutional officer. If needed, a second interview will be conducted prior to official notification and offer to the applicant. Once the applicant accepts the offer of employment, the Judge/Executive, or appropriate constitutional officer, if needed, will request approval from the Fiscal Court to hire the applicant.
 - 4. Information and evaluations supplied by the references given by the applicant.
 - 5. Other appropriate information as determined.
- C. The County will conduct a background investigation on all applicants for employment prior to an offer being made.

Section 3.19: Initial Probation Period

- A. All personnel initially appointed or rehired to an established position shall be considered on a probationary status for six (6) months. The probation period may be extended by the Judge/Executive, or appropriate constitutional officer, at his/her

discretion or upon the department head's recommendation, for up to one year.

- B. Any employee who has already served an initial probation period and is promoted or transferred to a new position shall be in a transfer probationary status for three (3) months and may be reinstated without right of appeal to the position from which he/she was promoted or transferred, or to a comparable position.
- C. A new employee may be dismissed without right of appeal during the original six (6) month probation period at any time.
- D. Health insurance benefits will begin in the month immediately following the completion of sixty (60) days of the probationary period.
- E. Employer/employee contributions to the County Employee Retirement System will begin in the month immediately following the completion of sixty (60) days of the probationary period. Exceptions may be granted for new employees who are currently enrolled in CERS or one of its participating retirement systems.

Section 3.20: Transfers

- A. Any employee occupying an established position may request a transfer from one position to a comparable position by making the request through the department head to the Judge/Executive, or appropriate constitutional officer, if:
 - 1. He/she possesses the appropriate qualifications for the position
 - 2. The employee is not serving an original probationary period; and
 - 3. The position is vacant.

Section 3.21: Promotion

- A. A promotion cannot be made unless there is a vacancy, or a new position/class established.
- B. A person may be promoted from one position to another only if he or she has the qualifications for the higher position. The same procedure as those authorized for ascertaining qualifications for initial appointment to a position as set forth in Section 3.24 "Certification of Eligibility for Position" shall be followed.
- C. The "Methods of Filling Vacancies" (Section 3.15) also includes the County Policy relative to promotions.
- D. All employees have the right to apply for vacant positions as set forth in Section 3.15 "Methods of Filling Vacancies".

Section 3.22: Disciplinary Action

- A. Grounds for disciplinary action of County employees, ranging from warnings to immediate discharge, depending on the seriousness of the offense, shall include, but not be limited to, the following:
 - 1. Dishonesty or falsification of records;
 - 2. Use of alcoholic beverages or drugs which affect job performance, including the consumption of alcoholic beverages or drugs during working hours as well as the abuse of alcoholic beverages or drugs during non-working hours which,

as a result of said abuse, affect the job performance of the employee during actual working hours;

3. Unauthorized use or abuse of County equipment or property;
 4. Theft or destruction of County equipment or property;
 5. Habitual tardiness, unauthorized or excessive absences;
 6. Disregard or repeated violations of safety rules and regulations;
 7. Unsatisfactory performance of duties;
 8. Disobeying a supervisor;
 9. Performing outside work during working hours established by the County; or
 10. Use of intimidation or threatening language, including physical or verbal mistreatment of co-workers, supervisor, and/or citizens.
 11. Any actions which are in direct violation of the County's Code of Ethics Policy, Social Media Policy, or any other policy that the County may adopt.
- B. The Judge/Executive may place an employee on leave, with or without pay, pending investigation of any alleged activity. Fiscal Court shall be notified no later than the next regular meeting.
- C. The Judge/Executive may, with Fiscal Court approval, demote an employee provided the employee possesses the minimum qualifications for the position to which he is demoted. Reasons for demotion include, but are not limited to:
1. Disciplinary reasons;
 2. Inability to carry out duties in accordance with the standards prescribed for the position;
 3. In lieu of layoff
- D. The Judge/Executive may, with Fiscal Court approval, suspend any County employee, with or without pay, for not more than thirty (30) calendar days for disciplinary reasons. Fiscal Court approval may occur after the suspension. Any suspended employee shall receive written notice of the suspension stating the reasons for the suspension and the duration of said suspension.
- E. The Judge/Executive may, with Fiscal Court approval, dismiss an employee. Written notice shall be given to the employee prior to, or at the time of, dismissal. Fiscal Court approval is not required for employees whose hire was not subject to approval of the Fiscal Court.

Section 3.23: Resignations

- A. An employee will be regarded as having resigned his/her position if he/she gives notice, written or verbal, to his/her immediate supervisor or the Judge/Executive, or appropriate constitutional officer. Unless approved in advance by the Judge/Executive, or appropriate constitutional officer, failure to give at least two (2) week notice may be cause for denying future employment with the County and forfeiture of payment of accumulated leave or compensatory time.
- B. An employee's resignation and its attending reasons shall be recorded in the employee's personnel file.
- C. Any employee who is absent from work for three (3) work days and fails to notify his/her supervisor will be considered to have abandoned the job and will be deemed to have resigned, and his/her employment with the County shall terminate immediately.

Section 3.24: Reinstatement and Rehires

- A. The Judge/Executive, or appropriate constitutional officer, may reinstate into his former position or a comparable position any employee who fails to satisfactorily complete the probationary period in a position to which he/she has been promoted (provided the former position or a comparable position is open and needs to be filled). The reinstated employee shall receive the rate of pay which was received prior to promotion.
- B. Any employee who is rehired after separation from County service shall be considered a new employee.

Section 3.25: Retirement

Simpson County does not have mandatory requirement age. Eligible employees are entitled to all benefits earned under the provisions provided by the County Employee Retirement System (CERS).

Section 3.26: Medical Examinations

Should a medical examination be made a condition for employment Simpson County shall pay 100% of the costs (including necessary travel costs) for all required medical examinations related to employment.

Section 3.27: Political Activity

No employee, as a condition of employment or continued employment, shall be required to contribute to or campaign for any candidate for political office. No employee of the County shall engage in political activity during his/her assigned duty hours, or while in uniform. Violators are subject to dismissal.

Section 3.28: Inclement Weather

In the event of occurrence of weather conditions in which travel to and from work may jeopardize the safety of employees, County offices may be closed at the discretion of the Judge/Executive. Employees will be notified of this action in a timely and appropriate manner. Employees will be paid as a regularly scheduled workday, provided that the shutdown occurs on their regularly scheduled workday.

Essential employees who must report to work during an inclement weather shutdown will receive 8 hours of pay in addition to one and a half times their normal pay rate for hours actually worked.

Essential employees that must report to work will be determined by the Judge/Executive or appropriate constitutional officer, or their chosen designee.

Where individual circumstances exist, such as longer than average distance of travel to and from the work place, the employee must notify his supervisor, and may exercise his own judgment in not reporting to work. If County offices are not subsequently closed, this time off will be charged, at the discretion of the employee, to accrued leave or leave without pay.

Section 3.29: Lay Off

- A. The Judge/Executive, or appropriate constitutional officer, may lay off an employee because of lack of work or funds. The order of layoff shall be established on the basis of the needs of the County as determined by the Judge/Executive and the Fiscal Court, or appropriate constitutional officer.
- B. Layoffs:
 - 1. Consideration shall be given to the seniority, performance record and merit of the persons considered for layoff.
 - 2. Part-time and probationary employees in a class shall be laid off before other persons in the class are laid off.
- C. One week before the effective date (except emergencies approved by the Fiscal Court) of the layoff of a regular full-time employee, the Judge/Executive, or appropriate constitutional officer, shall:
 - 1. Notify the employee of the layoff.
 - 2. Explain the reasons for the layoff, and
 - 3. Inform the Fiscal Court of the layoff(s).
- D. A copy of the notice shall be retained in the employee's personnel file.

Section 3.30: Gifts and Gratuities

Employees of Simpson County may not receive or accept any personal gifts or gratuities that obligate the County or its employees in any way or are given with the intent to influence. A personal gift is generally defined as one, which is expressly for an individual and is not an object produced for general distribution as a means of advertising such as inexpensive pens or calendars. (Refer to County Ethics Code for specific)

Section 3.31: Personal Conduct, Appearance and Hygiene

- A. Images presented and statements made by all employees of the County can affect the entire organization. Therefore, employees are expected to be friendly, courteous and appropriately dressed at all times.
- B. The use of social media by County employees can also affect the entire organization. As such, the use of derogatory, defamatory, or obscene language should be refrained from; as well as the sharing of obscene or offensive images. Refer to the County's Social Media Policy.
- C. The County expects its employees to present themselves for work in such a manner that reflects good personal hygiene. Personnel who are required to wear uniforms as provided by the County will ensure that their uniforms are well maintained, clean and serviceable every day.

Section 3.32: Safety and Injuries

- A. Ensuring the health and safety of all County employees is a major goal. It is the intent of the County to make every employee's job safe in all respects; therefore, all

employees shall report all hazardous conditions in their work area at once to their immediate supervisor.

- B. All work related injuries shall be reported to the employee's supervisor immediately. Once the supervisor has been informed of the injury, the injured employee will be sent to the Payroll Administrator to file a Worker's Compensation claim, if needed.

Section 3.33: Sexual Harassment Policy

A. Purpose

- 1. To advise employees that sexual harassment is a violation of law
- 2. To clearly state that employees or employee applicants should not be subjected to unwelcome sexual conduct, on or off the job, regardless of whether such action results from conduct of co-employees, supervisory staff, department heads, the public or others.
- 3. To provide disciplinary action in the event this policy is not followed.

B. Policy

- 1. The County is aware of, and complies with, all federal and state laws which make it illegal for sexual harassment to occur within the workplace. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a. Submission to such conduct is either explicitly or implicitly made a term or condition of employment;
 - b. Submission to or rejection of any such conduct by an individual is used as a basis for employment decisions; or
 - c. Such conduct has the result of unreasonably interfering with an individual's work performance or creating and intimidating or offensive work environment.
- 2. Any employee or employee applicant who feels that he or she has been subjected to any prohibited activity described above, should report the incident immediately to his or her immediate supervisor or the Judge/Executive. If the immediate supervisor is involved in the activity, the violation should be reported immediately to the Judge/Executive. If the Judge/Executive is the subject of the problem, the employees should notify the County Attorney. All resulting investigations will be kept confidential to the extent possible.
- 3. Any employee violating this policy will be subjected immediately to disciplinary action ranging from a written warning to discharge, depending on the nature and severity of the violation in this case.
- 4. In addition, capricious and unfounded charges of sexual harassment by an employee may be cause for disciplinary action. Refusal by a supervisor to act in legitimate cases of harassment may be cause for disciplinary action.

Section 3.34: Drug/Alcohol Abuse Policy

The County is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any employee illegally uses drugs on or off the job, comes to work under the influence, possesses, distributes, or sells drugs in the workplace, or abuses alcohol on the job. Therefore, the County has established the following policy:

- A. It is a violation of County policy for any employee to use, possess, sell, trade, offer to sell, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
- B. It is a violation of the County policy for any employee to report to work under the influence of or while possessing in his/her body, blood or urine, illegal drugs in any detectable amount.
- C. It is a violation of County policy for any employee to report under the influence of or impaired by alcohol.
- D. It is a violation of County policy for any employee to use prescription drugs illegally. However, nothing in this policy precludes the appropriate use of legally prescribed medications.
- E. Violations of this policy are subject to disciplinary action up to and including termination.

Section 3.35: Drug/Alcohol Testing Policy

- A. Pre-Employment Testing: No applicant will be considered for employment with the County unless he/she is drug free. All applicants who meet requirements for employment shall submit to a drug test. Those who test positive for any illegal substances, or who refuse to submit to a drug test, will not be hired.
- B. Random Drug Testing: All County employees will be subject to a random drug test. It shall be a condition of continued employment for all employees to submit to routine random testing when selected.
- C. Reasonable Suspicion Testing: When there is reasonable suspicion to believe an employee is illegally using drugs or abusing alcohol, the employee may be tested. Reasonable suspicion is based on a belief that an employee is using or has used drugs or alcohol in violation of the policy, drawn from specific objective and articulate facts. Reasonable inferences may be based upon, but not limited to:
 - 1. Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms of being impaired due to substance abuse;
 - 2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - 3. A report of substance abuse provided by a reliable and credible source;
 - 4. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on County premises or while operating County vehicles, machinery or equipment.
- D. Accident/Worker's Compensation Injury Testing: Any County employee that is involved in an accident or worker's compensation injury shall be subject to a drug test and breath alcohol and/or blood alcohol test.

Section 3.36: Drug Free Workplace Certification

The United States Congress enacted the Drug-Free Work Place Act of 1988, effective March 18, 1988. The following is a policy statement regarding the County's commitment to a drug-

free workplace.

- A. Employees shall not unlawfully manufacture, distribute, dispense, have possession of, or use illegal drugs or alcohol on the job, in the workplace or report to work under the influence of such substances. It is the intent of the County to maintain a workplace free of these substances so that all employees may have the opportunity to have a safer, more productive work environment.
- B. Any employee reporting to work under the influence of alcohol or illegal drugs or who commits a work-related drug or alcohol related offense shall be disciplined under the established disciplinary process, which includes suspension or dismissal.
- C. The manufacture, possession or use of illegal drugs, alcohol, or drug paraphernalia in the work place is strictly prohibited. This includes the misuse or abuse of prescribed medications that could impair an employee's ability to function.
- D. If a supervisor has reasonable cause to suspect an employee of illegal drug use on the job or of reporting to work under the influence of same, the employee shall be required to submit to drug testing.
- E. An employee reporting to work while taking medication prescribed by a physician or if the employee is self-medicating using over the counter drugs that could impair an employee's ability to function shall immediately notify his/her supervisor of this fact. The employee must submit a doctor's statement indicating how the medication would affect his/her job performance and the health and safety of others. It is imperative that the employee follow these steps so appropriate steps may be taken by the supervisor to prevent any hazardous situations from developing.

Section 3.37: Hours of Work

- A. Employees shall be at their place of work in accordance with prescribed departmental schedules. All departments shall maintain daily attendance records of all employees. All department heads shall submit time sheets to the Payroll Administrator prior to payday.
- B. Regular employees will be allowed two rest periods of fifteen (15) minutes each day, one during the first half of the work shift and one during the second half of the work shift. Unless prior approval is granted lunch and rest periods may not be used to shorten working hours, alter time of arrival or departure, accrue vacation, or count as overtime if not taken. Department heads shall ensure that rest period times and regulations are enforced. An hourly employee who works more than four (4) consecutive hours is entitled to one fifteen (15) minute break; hourly employees working less than four (4) consecutive hours are not entitled to a break.
- C. Lunch periods shall be scheduled by the department head and/or supervisor for a time which best serves the public. Some County employees, due to the nature of their job, may be considered on duty during their lunch breaks.

Section 3.38: Workweek

- A. Simpson County's official workweek shall begin and end on Sunday at 6:00am.
- B. The County may change the official workweek for any position(s), but not to avoid overtime requirements.

Section 3.39: Overtime

- A. In emergencies and other circumstances, consistent with the maintenance of essential County services, a department head may, with approval of the Judge/Executive, or appropriate constitutional officer, have employees work overtime.
- B. In order to determine whether an employee will receive overtime pay for hours worked in excess of forty (40) hours per week, each class shall be declared "EXEMPT" or "NON-EXEMPT" under the provisions of federal and state wage and hour laws. Exempt employees shall not receive overtime pay. Non-exempt employees shall receive overtime pay at a rate of one-and-one half times the hourly wage for the actual hours worked in excess of a normal workweek (over 40 hours).
 1. Simpson County employees who are deemed EXEMPT shall be paid an annual salary not less than the minimum salary threshold established by the Department of Labor rule covering minimum salaries for exempt employees. These individuals, in salaried, exempt positions, shall not receive overtime pay. They may accrue compensatory time, at a rate of one-and-one half (1.5) times, for work performed over and above the hours worked in a normal workweek, up to a maximum of 240 hours. Compensatory time accrued beyond these limits will be forfeited.
 2. Compensatory time off shall be scheduled in increments no greater than 16 hours at a time without the expressed approval of the employee's immediate supervisor and/or the Judge/Executive or appropriate constitutional officer.
 3. The following personnel, under the direction of the Judge/Executive's Office, are designated as exempt employees:
 - a. Finance Officer
 - b. Executive administrative assistant
 - c. Deputy Judge/Executive
 - d. County Treasurer
 - e. Fire Chief
 - f. Deputy Fire Chief
 - g. Public Works Director
 - h. Planning & Zoning Administrator
 - i. Emergency Management Director
 - j. Building Official
 4. Other employees, not listed above, but who work as a department head or in a supervisory role may be deemed EXEMPT by the Judge/Executive or other appropriate Constitutional Officer.
 5. Overtime pay exception for salaried employees would be such employees who the County receives actual grant money, federal overtime money, or other types of reimbursement to cover the cost of the employee's overtime worked. Such employees would have the option to receive overtime pay from the grant proceeds rather than comp time.

- C. Time off with pay (including leave, holidays, jury duty, funeral leave, etc.) may not be considered as hours worked for overtime pay purposes. Additionally, hours worked on holidays, since paid at greater than the overtime rate, shall be credited first against any hours worked in excess of forty (40) during the workweek.
- D. Employees required being present at Fiscal Court meetings or committees of the Court relative to County business shall be compensated at the regular rate of pay. A minimum time shall be based on actual time at the meeting. *Overtime provisions will apply if the appearance at the meeting causes the employee to accumulate (work) in excess of forty (40) hours during the workweek.
*Plus any travel time incurred
- E. Certain hourly, non-exempt employees are expected to be available as "on-call" for emergency situations. The department head and/or supervisor will identify those days to the employee. If called in outside the regular shift, the employee will receive call back pay as determined by each individual department, but not to exceed 4 hours in any given period between the employee's regularly scheduled shift, unless however, the employee actually works beyond 4 hours. In that event they would be paid at their normal rate of pay.

Section 3.40: Wage Increases

- A. The annual budget may include wage increases for the budget year effective July 1 annually, subject to availability of revenues.
- B. Individual adjustments may be made during the year as necessary (probation completion, merit-pay adjustment, etc.) subject to availability of funds.

Section 3.41: Holidays

- A. The following days are declared paid holidays at the regular rate of pay for all full-time County employees:
 - 1. New Year's Day – full day
 - 2. Martin Luther King, Jr. Day – full day
 - 3. President's Day – full day
 - 4. Good Friday –full day
 - 5. Memorial Day – full day
 - 6. Independence Day – full day
 - 7. Labor Day – full day
 - 8. Veteran's Day – full day
 - 9. Thanksgiving Day – full day
 - 10. Day after Thanksgiving – full day
 - 11. Christmas Eve – full day
 - 12. Christmas Day – full day
 - 13. New Year's Eve – full day

Note: The Judge/Executive may vary the holiday schedule should circumstances dictate.

- B. When any holiday listed above falls on Saturday, the preceding Friday will be observed. If the holiday falls on Sunday, the following Monday shall be considered a holiday.
- C. Each employee will receive 8 hours pay for the day in which the County observes the

holiday. If an employee is required to work on a day in which the County observes the holiday, that employee will receive the holiday pay in addition to their regular rate of pay for time actually worked. Employees whose attendance is required at work on the actual holiday shall receive pay at a rate equal to two times (2X) their regular rate of pay for actual time worked on the holiday.

- D. In addition to the above, any day may be designated as a holiday by proclamation of the Fiscal Court.
- E. In order for an employee to be paid for a holiday, he/she must work the last scheduled day before and the first scheduled day after the holiday unless the absence(s) is/are approved in advance.

Section 3.42: Annual Leave (Vacation Leave)

- A. Full-time employees shall be entitled to accrue annual leave on the following schedule, which shall be accrued monthly and may be taken following the successful completion of the initial probationary period.

<u>Months of Service</u>	<u>Accumulated Leave</u>
0 -59 months	104 hours each year
60-119 months	156 hours each year
120 months and over	208 hours each year

- B. The maximum accrued leave which may be carried forward shall not exceed 480 hours. Leave in excess of this amount shall be forfeited without pay.
- C. Extended leave should be requested at least 2 weeks in advance. Employees taking leave for a single day or a partial day shall request approval from their supervisor at least twenty-four (24) hours prior to their intended use of leave. Supervisors may disapprove any leave request that is not so requested or if the leave would have an adverse effect on the department's operation. A waiver may be granted by the Judge/Executive on a case by case basis if twenty-four (24) hour notice cannot be given prior to use of vacation leave.
- D. No employee will be permitted to take advance leave or leave that has not been accrued. For accrual purposes, a new employee who reports for work on or before the 15th of the month shall accrue leave for that month. If an individual is employed on or after the 16th of the month, he/she shall begin accruing leave at the beginning of the following month.
- E. If an employee resigns or retires, the employee will be paid for all accumulated annual leave, up to the maximum allowed to be carried forward, provided at least fourteen (14) calendar days written notice of the employee's final work day is given to their supervisor. If this notice is not given, the County may refuse to pay for any or all of the annual leave time accumulated.
- F. If an employee is absent due to sickness, illness or disability, notice should be given to the supervisor no later than two (2) hours prior to the beginning of the shift.
- G. The Payroll Administrator shall keep and maintain complete records of employee leave totals. An employee fraudulently obtaining leave or a department head falsely certifying leave allowances shall be subject to disciplinary action.

Section 3.43: Leave Sharing Policy for Medically Certified Absences

- A. An employee who has accrued a leave balance of more than seventy-five (75) hours may request that the County make available for transfer a specified amount of his/her leave balance to another named County employee authorized to receive accrued leave, in the event of a medically certified absence. The employee may not request a transfer of an amount of leave that would result in reducing his/her annual leave balance to less than seventy-five (75) hours.

- B. An employee becomes eligible to receive donated leave at a point when all six (6) of the criteria below are met:
 - 1. The employee or member of his/her immediate family suffers from a "medically certified" illness, injury, impairment, or physical or mental condition which has caused, or is likely to cause, the employee to go on leave for at least ten (10) consecutive working days;
 - 2. The employee's need for absence is certified by a licensed, practicing physician;
 - 3. The employee has exhausted all of his/her available leave;
 - 4. The employee has complied with administrative regulations and policies governing the use of leave;
 - 5. The employee's request must be in writing to the Judge/Executive, or appropriate constitutional officer, to receive transferred leave; and
 - 6. The employee obtains written permission from the co-worker(s) to have a specified number of hours transferred to the requesting employee.

Section 3.44: Disability Leave

Any employee who suffers serious injury or illness as a result of a service connected accident or illness shall be compensated at the negotiated rate with the County's workers compensation insurance company. No other benefit is implied.

Section 3.45: Parental Leave

- A. Maternity leave may be granted for full-time employees with temporary disability due to pregnancy, childbirth, or any impairment thereof, and miscarriages for a period not to exceed twelve (12) weeks. Up to six (6) weeks of maternity leave shall be with pay. The employee may use accrued leave, any compensatory time (if applicable) and the remaining period off without pay.

- B. Two weeks of paid paternity leave may be granted to full-time employees upon the birth of their child.

- C. Two weeks of paid parental leave may be granted to full-time employees upon the adoption of a child.

Section 3.46: Funeral Leave

- A. Full-time employees are entitled to two (2) consecutive paid working days off in the case of death in the immediate family (parents, grandparents, spouse, siblings, children, grandchildren, and parents of their spouse).

Section 3.47: Special Leave

- A. In addition to authorized leave, the Judge/Executive, or appropriate constitutional officer, may authorize an employee to be absent without pay for personal reasons for a period or periods not to exceed ten (10) working days in any calendar year.
- B. Special leave circumstances should be specified, in writing, by the Judge/Executive, or appropriate constitutional officer, with explanation attached to the timesheet of the employee for the pay period in which said special leave is authorized.

Section 3.48: Military Leave

Pursuant to KRS 61.394 and 61.396, all employees of this County, or of any department or any agency thereof, who are members of the National Guard or of any reserve component of the Armed Forces of the United States, or of the reserve corps of the United States Public Health Service, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits to which they are entitled, while in the performance of duty or training in the service of this state or the United States under competent orders as specified in this section. In any one (1) federal fiscal year, officers or employees, while on military leave, shall be paid their salaries or compensations for a period or periods not exceeding twenty-one (21) calendar days. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire in two (2) years after it has accrued.

Section 3.49: Civil Leave (Jury Duty)

The County encourages service as a juror and compliance with other subpoenas to be a witness in legal proceedings. If an employee needs to be absent, a copy of the summons or other proof of service must be submitted to their supervisor. If called for jury duty and released, the employee must return to work for the remainder of the scheduled shift. The employee will receive their regular pay.

Section 3.50: Voting Leave

The County encourages all citizens of the Commonwealth to exercise their right to vote. Department heads will allow ample time off to vote, without loss of pay. If time off is needed to vote, the employee should notify their supervisor prior to Election Day.

Section 3.51: Blood Donation Leave

Employees who donate blood at any licensed blood center certified by the Food and Drug Administration during regularly scheduled work hours are entitled to up to four (4) hours leave with pay. Blood donation must be made during the employee's scheduled work hours not including the employee's lunch hour. The employee must request leave for blood donation in advance and furnish a written statement from blood mobile verifying that the employee gave blood. This will be retained in the employee's file with the payroll officer. Leave time must be taken at the time of donation unless circumstances require the employee to return to work. Employees not accepted as blood donors must promptly return to their workstation but will not be charged for the time spent attempting to donate.

Section 3.52: Health Insurance

- A. The County provides an allowance for a County health insurance plan for each full-time employee. In the event an employee is out of work due to illness, regardless of cause, the County limits the payments of the health insurance premium for a period not to exceed twelve (12) weeks.
- B. Benefits are as set forth in the carrier contract.
- C. Employees are covered under the Consolidated Omnibus Budget Act of 1986 (COBRA). In summary, COBRA provides that each qualified beneficiary who would lose coverage under the group health plan as a result of a qualifying event is entitled, under the plan, to elect, within the election period, continuation coverage under the plan at his/her expense for a limited time. This summary statement is not intended to supplant the Act. All rights are set forth in the Act and should be consulted for official decisions. The payroll administrator can facilitate this process.
- D. No other medical benefit is implied.

Section 3.53: Retirement Benefits

- A. Social Security: The County and its employees contribute amounts at the rate determined by Congress.
- B. The County participates in the County Employees Retirement System (CERS). CERS contribution regulations are established by the Kentucky Legislature.

Section 3.54: Unemployment Insurance

The County pays the full amount for Unemployment Insurance.

Section 3.55: Worker's Compensation

The County pays the full amount for Worker's Compensation Insurance pursuant to KRS Chapter 342.

Section 3.56: Expense Reimbursement

- A. No employee or official of the County shall receive or be allowed any lump-sum expense allowance or contingent fund for personal or official expenses (KRS 64.710).
- B. Any employee or official of the County incurring expenses for approved travel shall be reimbursed as follows:
 - 1. Transportation – For all reasonable and necessary public transportation by economical means, the actual costs of fares, not to exceed costs for accommodations that are less than first-class if available. For the use of privately owned vehicle, if advantageous to the County, mileage shall be reimbursed at the rate approved by the State, as determined by the most recently reported rates from the Finance & Administration Cabinet.
 - 2. Lodging – Lodging shall be the most economical, after consideration of location. State-owned facilities shall be used, if available, practicable &

economical. Reimbursement shall not exceed the cost of a single room rate, except that if employees share lodging, each employee shall be reimbursed the lesser of single rate or one-half (1/2) the double rate. Reimbursement shall be made on an actual expense basis for the cost of lodging, at a destination more than forty (40) miles from the individual's workstation, with an itemized receipt required on all expenses claimed.

3. Meals (Overnight Travel) – Expense for meals, during authorized out-of-county travel, at a destination more than forty (40) miles from the individual's work station, and which requires an overnight absence, will be reimbursed on an actual expense basis, up to a maximum of \$40 per day. Gratuities of up to 20%, included in the daily maximum, shall be eligible for reimbursement. Itemized receipts shall still be required to claim the expense. Meals included in the charges for lodging or in registration fees paid by or on behalf of the individual may not be reimbursed. No one may claim an expense reimbursement for another individual.

Meals (Day Travel) – In certain circumstances, subject to the approval of the appropriate constitutional officer (or designee) and/or the Judge/Executive, an individual may be eligible for a day travel per diem of up to \$15. Itemized receipts shall still be required. Alcoholic beverages shall not be included in the meal reimbursement.

- C. Other – Tolls, parking, baggage, and car rentals are allowed on an actual expense basis when reasonable and necessary and with an itemized receipt.
- D. The Travel and Expense Reimbursement Voucher should be completed, including required itemized receipts, and submitted to the Judge/Executive and/or his designee within ten (10) working days after returning from travel. Itemized receipt means any original preprinted invoice, from a hotel, restaurant, or other establishment, showing the date of service, detailed list of charges and the location of the charges. Un-itemized receipts or un-itemized credit card receipts or monthly statements are not acceptable.
- E. The Travel and Expense Reimbursement Voucher must be signed by the employee requesting reimbursement, by the department head/supervisor or appropriate constitutional officer and the Judge/Executive and/or his designee. All Travel and Expense Reimbursement Vouchers shall be available to the Fiscal Court for review and must be approved by a separate motion of the Fiscal Court.

Section 3.57: Family and Medical Leave Act of 1993

The Family and Medical Leave Act of 1993 does apply to all public agencies, including state, local and federal employers. However, employee eligibility is as follows:

To be eligible for FMLA benefits, an employee must:

1. Work for a covered employer,
2. Have worked for the employer for a total of twelve (12) months,
3. Have worked at least 1,250 hours over the previous twelve (12) months, and
4. Work at a location in the United States or in any territory or possession of the United States where at least fifty (50) employees are employed by the employer within seventy-five (75) miles.

Section 3.58: Training and Career Development

- A. Each new employee shall be given an orientation on the job of the nature, purposes and programs of the department and the administrative policies adopted by the County. Each department head shall maintain a copy of all personnel policies so that should questions arise appropriate policies are available for review.
- B. The Judge/Executive and department heads may provide in-service training for regular full-time employees.
- C. The department heads, with the Judge/Executive's concurrence, may permit or direct the attendance of employees at meetings, conferences, workshops, or seminars intended to improve the knowledge, abilities, and skills of County employees.
- D. Training shall include the following areas:
 - 1. Orientation of new employees,
 - 2. Position specific (the job position/title as appointed),
 - 3. Safety training department specific as well as general safety,
 - 4. Employee standards of conduct training, and
 - 5. Career developmental training designed to improve job knowledge and productivity.

Note: Training may be accomplished on site or at organized training seminars provided by educational institutions, the Commonwealth of Kentucky, or other recognized entities.

- E. Attendance and participation in training arranged or provided by the County is mandatory and a condition of employment. The County will make every effort to provide training at reasonable times and with the convenience of the employee in mind. Training expenses will be paid by the County, including travel, lodging, registration, and course materials. However, all course materials remain the property of the County to be maintained by the employee.
- F. Each employee shall sign certification that he/she has been given an opportunity to review the County's personnel chapter to the administrative code and received orientation on his/her job.

Section 3.59: Grievance Procedure

- A. Any employee who believes that he/she has been aggrieved by any act or decision of the County may file a complaint with his/her department head within ten (10) days of the incident in accordance with the following procedure:
 - 1. An aggrieved person must submit a written statement of the grievance to the department head setting forth the nature of the grievance and facts upon which the allegation is based. The written statement must be submitted within ten (10) working days of the alleged grievance.
 - 2. The department head shall contact the complainant no later than ten (10) working days after receiving the written statement to establish a meeting with the objective of resolving the matter informally. However, in no case shall the informal meeting be conducted sooner than five (5) days or more than thirty (30) days after receiving the written statement. There shall be prepared written

- documentation of the discussion at the informal meeting, which shall be preserved in the file of the employee.
3. Within five (5) days of the informal meeting, if no decision has been made by the department head or the decision of the department head does not satisfy the complainant, he/she may request a meeting with the Judge/Executive, or appropriate constitutional officer, by submitting a written request.
 4. In this discussion of the grievance, the complainant may appear with counsel and participate in the discussion. The Judge/Executive, or appropriate constitutional officer, may require the department head to participate in the discussion of the grievance, when it is brought before the Judge/Executive, or appropriate constitutional officer. The Judge/Executive, or appropriate constitutional officer, shall issue a written decision on the matter within ten (10) days. Written documentation of the discussion at the meeting shall be preserved in the file of the employee.
- B. The decision of the Judge/Executive, or appropriate constitutional officer, shall be final. All complaints received by the department head and responses from the department head and the Judge/Executive, or appropriate constitutional officer, shall be kept by the County in the complainant's file.

Section 3.60: Cell Phone Use Policy

- A. The County may issue cell phones to certain employees, to allow efficient and cost-effective execution of County business. All County issued phones remain the property of the County and, as such, may be audited for use, at any time.
- B. Incidental personal use of County-provided cell phones is permitted. Any extra costs incurred, above what the County would normally pay, for such personal use, shall be reimbursed to the County. If personal use of a County-provided phone becomes regular and on-going, the employee may be moved to a monthly mobile phone stipend or asked to obtain a personal phone.
- C. Individuals who conduct County business on their personal cell phones may apply for reimbursement for such calls or texts. To receive reimbursement, the individual must indicate the date and purpose of the call or text, and submit this information along with the original phone bill. The reimbursement will be based on the cost of County-business calls that exceed the normal monthly calling plan cost.
- D. At the discretion of the Judge/Executive, or appropriate constitutional officer, employees who would otherwise be provided with a County issued cell phone can request to receive a monthly stipend for using their personal cell phone for County business. The stipend shall be paid at or near the rate of the cost of a County issued device, but no more than \$40 per month.

Employees who receive a monthly stipend agree to adhere to the County's cell phone use policy for conducting County business with their personal phone.

- E. Cell phone use (texting included) shall be prohibited during working hours for employees while operating vehicles requiring Commercial Driver's License (CDL) or conducting flagging operations. This policy shall be applicable to drivers and the work being conducted at or near the trucks. If cell phone use is necessary or for an emergency, the employee shall park the CDL vehicle in a safe and appropriate location prior to the cell phone use. Bluetooth, earpieces or other wireless devices may be allowed under this policy.

Section 3.61: Fiscal Court Meeting Attendance

- A. No employee shall attend a regular or special-called meeting of the Simpson County Fiscal Court while on the County payroll, with the following exceptions:
 - 1. Elected officials
 - 2. Department heads
 - 3. County Treasurer/Finance Officer
 - 4. Fiscal Court Clerk
 - 5. Any employee who attends at the request of an elected official or department head for the purpose of providing information, or being recognized for an achievement or job accomplishment

CHAPTER 4

PURPOSES AND CONTRACTS

Section 4.1: Authorization of County Contracts

Every contract of Simpson County, change or amendment thereto, shall be authorized or approved by the Simpson County Fiscal Court before it is executed by the Judge/Executive, and every contract, except small purchases, shall require prior approval by the County Attorney as to form and legality.

Section 4.2: Selection of Vendors and Contractors (Sealed Bidding)

- A. KRS 424.260 sets the parameters on what contracts need to be advertised for bids. However, there is no express provision that the County must accept the lowest bid. It is assumed that state requirements apply (KRS 45.360). Use of state contracts price is authorized by KRS 45.365. Upon authorization by Fiscal Court to solicit contracts for amounts that exceed the maximum amount permitted by KRS 424.260, the Judge/Executive shall place an advertisement in the local newspaper of the largest circulation in the county at least once, but not less than seven (7) nor more than twenty-one (21) days before a bid opening. The advertisement will include the time and place the bid will be opened, and the time and place where the specifications may be obtained. If the durability of the product, the qualities of the service or other factors are to be considered in the bid selection, such factors shall be stated in the advertisement.
- B. The Judge/Executive shall open all bids publicly at the time and place stated in the advertisement and shall select the lowest and/or best bid by a qualified bidder. If the lowest bid is not selected, the reasons for the selection shall be stated.
- C. The Judge/Executive shall submit the bid selected to the Fiscal Court for approval.
- D. The Judge/Executive shall sign the contract on behalf of the County upon approval of the Fiscal Court.

Section 4.3: Procedures for Determination of Qualification of Bidders

- A. Each bidder shall furnish in writing information pertaining to all contracts completed in the past two years and a listing of all the financial institutions used.
- B. In the event the information is conflicting or incomplete, the Judge/Executive shall make further inquiries of the bidder.
- C. The contractors or bidders who have demonstrated, by past performance, the ability to perform satisfactorily in accordance with contracts on a timely basis and have shown a sound financial structure shall all be considered qualified.
- D. The Judge/Executive shall make a written determination as to the extent or responsibility of each bidder and shall maintain a list of those who qualify as responsible contractors for particular types of supplies, service and construction items.

Section 4.4: Prerequisites for Use of Negotiated Process (Emergency)

- A. The negotiated process may be used instead of advertisement for bids if the amount exceeds what is allowed per KRS 424.260, in the event an emergency exists and is declared.
- B. Before an emergency is declared, the Judge/Executive shall determine whether or not a delay in obtaining bids will result in danger to health, safety or property.

Section 4.5: Procedures for Negotiated Process

- A. When the prerequisite has been met for use of the negotiated process, the Judge/Executive shall proceed to negotiate with one or more suppliers in order to obtain the most advantageous terms for the County.
- B. Professional services shall be negotiated with such persons as are properly licensed to perform such services.
- C. Where more than one bid is received, and all are in excess of the amount available, the lowest three (3) bidders shall be notified that the County desires to negotiate a contract for a lesser amount based on revised quantities or specifications and fix a time limit for submission of proposals.
- D. The Judge/Executive examines the proposals received and shall negotiate with the suppliers for the terms most advantageous to the County.
- E. The best-negotiated proposal shall be submitted to the Fiscal Court for approval and award.
- F. The Judge/Executive shall prepare a record of all negotiated contracts, showing the items and quantities acquired, name of suppliers, cost and date of contract.

Section 4.6: Small Purchase Procedures

- A. With prior approval of the Judge/Executive or designee, authorized persons may purchase for their respective departments any supplies, services, etc., at a cost of five thousand dollars (\$5,000) or less. However, a purchase order or vendor's billing for the purchase shall be submitted to the Judge/Executive for review.
- B. Supplies, services or construction normally supplied, as a unit shall not be artificially divided for the sole purpose of using small purchase procedures.
- C. Before purchasing any supplies, services, at a cost exceeding five thousand dollars (\$5,000), but less than the amount specified by KRS 424.260, authorized persons shall submit to the Judge/Executive a purchase order containing specifications, quantities desired, and price quotes (three when possible) for the desired supplies or services. The Judge/Executive shall determine the need for the item(s) requested the approximate cost, and whether or not the expenditure is provided for in the budget. The Judge/Executive shall then select the price most advantageous to the County and purchase accordingly.
- D. A copy of the billing from the vendor along with a copy of the signed purchase order shall be submitted to the County Treasurer at the time of approval.

- E. All purchases shall be debited from the budget appropriation for the department making or requesting such purchase.
- F. No purchase shall be made for an amount that exceeds the sum budgeted and appropriated by the Simpson County Fiscal Court for such purchases, without further approval by the Fiscal Court for the increased amount.

Section 4.7: Storage and Inventory Control

- A. All County property shall have affixed to it a property control number tag. All department heads will ensure that they maintain in their files an updated inventory of all property in their possession.
- B. Once a year (preferably during the budget cycle) all of Simpson County's property will be inventoried by each department or agency. These updated inventories will be submitted to the Judge/Executive's office for reconciliation and filing in the County's master inventory book.
- C. All County inventories shall contain an item inventory number, an item description, date of purchase if known, purchase amount if known, and office/department/agency where property is assigned for use.

Section 4.8: Procedures for Disposition of Surplus Property

When property becomes surplus the following steps will be taken:

1. The item will be identified on the inventory as a surplus item.
2. If beneficial, all offices and agencies will be contacted and informed that a surplus item exists. If appropriate, items can be transferred within the County as long as an accurate audit trail exists and appropriate change documents are prepared transferring the item from one agency to another. Items may also be transferred to other government agencies/entities within Simpson County.
3. Items that are not transferred but are to be kept in inventory will be stored with other surplus property until such time as beneficial to dispose of said property.
4. If it is deemed beneficial to dispose of surplus property the Fiscal Court shall determine the reason for such disposition and state the method of disposition.
5. The Fiscal Court may dispose of surplus property by receiving sealed bids, through public auction, or by negotiations
6. If the property is to be sold through negotiations, the property shall be appraised by at least two (2) competent appraisers and shall not be sold for less than the least appraised value.
7. If the property has a value less than the cost associated with disposition of has no value, the property may be declared as having "no value" and may be disposed of by whatever means most beneficial to the County.

CHAPTER 5

DELIVERY OF COUNTY SERVICES

COUNTY ROAD DEPARTMENT

Section 5.1: Establishment of County Road Department

- A. There is hereby created and established a Simpson County Road Department consisting of a County Road Supervisor and such other employees of said department as may from time-to-time be provided in the job classification and approved by the Fiscal Court.
- B. The Judge/Executive with the consent of the Fiscal Court shall appoint the County Road Supervisor.
- C. The Fiscal Court shall set the number and compensation of all employees of the road department in accordance with the provisions of Chapter 3, Personnel Administration, of this Code.
- D. The Judge/Executive in accordance with the provisions of Chapter 3, Personnel Administration, shall make all appointments to the road department and removals.

Section 5.2: Duties of the Road Supervisor

- A. The duties of the Simpson County Road Supervisor shall be set forth in the Job Classification system as called for in Chapter 3, Personnel Administration, of this Code.
- B. The County Road Supervisor shall be responsible for the performance of the road department and its functions, and all persons who are employees of the road department shall be subject to the supervision and direction of the road supervisor.

Section 5.3: County Road Inventory/Condition

- A. The Judge/Executive shall maintain a map that clearly identifies all the County maintained roads.
- B. The County Road Supervisor shall contact all area utilities (City and County water services) prior to digging, surfacing, or resurfacing any County road.

Section 5.4: Specifications for County Roads

- A. The Simpson County Fiscal Court in accordance with KRS 179.470 may accept roads into the County Road System.
- B. Prior to Fiscal Court consideration of a road for acceptance into the County Road system, the County Road Supervisor shall certify that the following specifications have been met or exceeded:

1. Surveyed legal description of the proposed road prepared by a licensed Kentucky registered surveyor, prepared at the expense of the affected property owners. No survey shall be required in an approved and platted subdivision.
 2. A copy of all property owners' deeds and property of good, marketable and fee simple title in the property of the owners proposing to deed the road right of way to the County.
 3. If required by the Fiscal Court, certification by the property owners that obstruction, fences, buildings, gates and cattle gates have been removed from the proposed County road right of way.
 4. Acceptable road specifications shall be recommended by the County Road Engineer and/or the County Road Supervisor and approved by the Fiscal Court regarding, but not limited to, right of way width, pavement width, pavement specifications and grade and drain. The right of way width shall be a minimum of thirty (30) feet. No gravel roads shall be accepted into the County Road system.
 5. The road shall be properly ditched and tiled with cross drain pipes of adequate size and road banks stabilized in grass or other suitable ground cover.
- C. Once a road has been accepted into the County Road system the County shall be obligated to maintain the road. This maintenance will only be performed within the County's right of way or where easements have been granted by property owners.

Section 5.5: Other County Services

FRANKLIN – SIMPSON FIRE RESCUE

The Franklin-Simpson Fire Rescue is responsible for firefighting and certain emergency responses in the unincorporated areas of Simpson County, and by contract and interlocal agreement with the City of Franklin, within the City limits. Franklin-Simpson Fire Rescue also works with the Franklin-Simpson EMS, and the Simpson County Emergency Management Agency when the situation dictates.

PLANNING, ZONING AND CODE ENFORCEMENT OFFICE

This office provides buildings and electrical inspections for all new construction within Simpson County. It utilizes all applicable codes, including the Kentucky Building Code and the National Electric Code. The office also provides planning and zoning services for the residents of Simpson County, as well as performing administration of the Simpson County Zoning Ordinance.

SOLID WASTE/RECYCLING DEPARTMENT

There is created a Simpson County Solid Waste/Recycling Department consisting of a solid waste coordinator and other employees as may from time-to-time be provided in the job classifications and approved by the Fiscal Court.

CHAPTER 6

OPERATION OF SIMPSON COUNTY FISCAL COURT

Section 6.1: Procedures for Meetings of Fiscal Court

- A. The Simpson County Fiscal Court shall hold two (2) monthly meetings, on the first and third Tuesday of each month at 8:30 a.m. at the Simpson County Courthouse.
- B. Fiscal Court meetings in which any public business is discussed, or any action taken shall be open to the public.
- C. The Judge/Executive may call a special meeting of the Fiscal Court for the purpose of transacting any business over which the Fiscal Court has jurisdiction.

Section 6.2: Presiding Officer

The Judge/Executive shall be the presiding officer of the Fiscal Court at all regular and special meetings.

Section 6.3: Quorum

Not less than a majority of the members of the Fiscal Court shall constitute a quorum for the transaction of business. No proposition shall be adopted except with the concurrence of at least a majority of the members present.

Section 6.4: Order of Business

- A. At each meeting of the Fiscal Court, the regular order of business shall follow the agenda unless dispensed with by a majority vote of the members present.
- B. The Judge/Executive shall prepare an information package for all Court members containing information on all items on the agenda.

Section 6.5: Fiscal Court Records and Minutes

- A. The Fiscal Court Clerk shall attend all meetings of the Simpson County Fiscal Court.
- B. The Fiscal Court Clerk shall be responsible for maintenance and management of all county records. The Fiscal Court Clerk shall keep an index of all records and make such index and records available for public inspection in accordance with KRS 61.870 to 61.884.

Section 6.6: Ordinances, Orders and Resolutions

- A. An ordinance means a general act of the Fiscal Court enforceable by law or an appropriation of money; all other acts are motions, orders or resolutions.
- B. All ordinances shall be introduced in writing; related to one subject only, and contain a title, which expresses the subject matter concisely.

- C. There shall be inserted between the title and the body of each Simpson County ordinance an enacting clause written in the following manner; "Be It Ordained by the Fiscal Court, the County of Simpson, Commonwealth of Kentucky."
- D. County Ordinance shall have a first reading followed by a second reading and adoption by the Fiscal Court.
- E. County Ordinances shall be amended by ordinance and only by setting out in full each amended Section.
- F. No County Ordinance shall be passed until it has been published pursuant to KRS Chapter 424. Prior to passage, ordinances may be published in summary. Publication shall include the time, date, and place within the County where a copy of the full text of the proposed ordinance is available for public inspection. In the event consideration for passage is continued from the initial reading to a subsequent date, no further publication is necessary provided that at each meeting the time, date and place of the next meeting is announced.
- G. All County ordinances and amendments shall be published after passage and may be published in full or in summary.

CHAPTER 7

OTHER COUNTY SERVICES AND POLICIES

Section 7.1: Equal Opportunity

A. General Policy:

It has been, and will continue to be, the policy of Simpson County, Kentucky (hereinafter referred to as "The County"), to recognize and abide by the provisions and Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and Executive Order 11246 and amendments thereof.

B. Equal Opportunity Officer:

A member of the staff of the County shall be appointed by the Judge/Executive to serve the functions of the Equal Opportunity Officer.

The responsibilities of the Officer shall include, but not be limited to, the following:

1. Consult with and advise on matters pertaining to the administration of an equal opportunity program for the County staff.
2. As assigned, establish and maintain contact as the County's liaison with the community generally and minority groups in particular.
3. As assigned, work with schools, minority group agencies and organizations to encourage and assist with implementing equal opportunity in employment, training, housing, and business development as pertains to the programs carried out by the County.
4. Obtain information about human rights programs of Federal, State, and local agencies as well as special interest groups promoting equal opportunity for all the citizens of the County.
5. Prepare reports, as needed, on equal opportunity practices and programs.
6. Maintain liaison and continuing working relationship with State Officials on Equal Opportunity.
7. Review and monitor all contractual agreements with the County to assure achievement of equal employment opportunity, open occupancy, and public accommodation objectives.
8. Assist the County and Contractors in preparing effective program criteria; compile public information for the County to disseminate; implement equal opportunity policies and statements; and prepare related correspondence including recommendations on equal opportunity practices.
9. Investigate formal complaints of alleged discrimination by parties to agreements and recommend procedures to ensure compliance to all County activities for the promotion of equal opportunity objectives.

Section 7.2: Simpson County Investment Policy

The County hereby authorizes the following parties and individuals to invest the County's funds, pursuant to the terms and conditions of this Code:

1. County Treasurer
2. Finance Director

- A. Funds not needed for current expenses or obligations of the County may be invested in any of the following:

1. Certificates of deposit or other interest bearing accounts of any bank or loan institution which are insured by the Federal Deposit Insurance Corporation or similar entity.
 2. Uncollateralized certificates of deposit issued by any bank or savings and loan institution rated in one (1) or the three (3) highest categories by a nationally recognized rating agency.
- B. The investment authority outline above shall be subject to the following limitations:
1. The County shall not purchase any investment on a margin basis or through the use of any similar leveraging technique.
 2. The County shall not purchase any investment where the principal funds are at risk or loss.
- C. The County hereby adopts the following standards for written agreements pursuant to which investments are made:
1. The Fiscal Court should determine who is authorized to sign the written agreement, whether that agreement needs to be signed by more than one party, whether the agreement as a whole will need to be approved by the Fiscal Court.
 2. The County should include any other requirements that it may want to make as a standard for the written agreement.
- D. The County hereby adopts the following procedures for monitoring controls, deposits or retention of investments and collateral. Working with the County's investment advisor, the County should make such determinations as to:
1. How often a report will be received on its deposits.
 2. Where the deposits or investments will be physically located.
 3. Whether a third party custodian is desired or required for the collateral;
 4. Whether the County actually wants to take possession and control of the investment security or if that will be left with the County's bank/trustee.
 5. The County should include any additional controls recommended by the investment advisor or the County auditor.
- E. The County hereby adopts the following standards for diversification investments, including diversification with respect to the types of investments and firms with which the County transacts business:
- The County will determine how much of the investment should be in any one type of investment and how all transactions are to be executed.
- F. The County shall use the following standards for the qualification of investment agents authorized to transact business with the County:
- The Fiscal Court should determine what criteria to use in selecting an investment advisor, such as licensing to do business in Kentucky, the investment advisor's experience, the capitalization of the investment advisor, or any other prudent factors the Fiscal Court deems appropriate in its determination of whether a particular firm is capable and qualified to transact business with the County.

- G. All the County's investment reports will be prepared and submitted on a quarterly basis by the County Treasurer.

CHAPTER 8

INFORMATION TECHNOLOGY/CYBER SECURITY

Section 8.1: Simpson County Information Technology and Cyber Security

- A. This policy will remain a part of the Simpson County Fiscal Court Administrative Code and will be made available to every employee as a separate document.

SIMPSON COUNTY ADMINISTRATIVE CODE INTERNET & E-MAIL POLICY GUIDELINES

1. **ACCEPTABLE USES OF THE INTERNET AND COUNTY E-MAIL**

The County-provided Internet and e-mail access is intended for business purposes. The County encourages the use of the Internet and e-mail because it makes communication more efficient and effective. However, Internet services and e-mail are County property, and their purpose is to facilitate County business. Every staff member has a responsibility to maintain and enhance the County's public image and to use County e-mail and access to the Internet in a productive manner. To ensure that all employees are responsible, the following guidelines have been established for using e-mail and the Internet. Any improper use of the Internet or e-mail is not acceptable and will result in appropriate disciplinary actions, up to and including dismissal.

2. **UNACCEPTABLE USES OF THE INTERNET AND COUNTY E-MAIL**

The County Internet and e-mail access may not be used for transmitting, retrieving or storage of any communications of a discriminatory or harassing nature or materials that are obscene or X-rated. Harassment of any kind is prohibited. No messages with physical attributes or sexual preference shall be transmitted. No abusive, profane or offensive language is allowed to be transmitted through the County's e-mail or Internet system. Electronic media may not be used for any purpose which is illegal, deceptive or against County policy or contrary to the County's best interest. Solicitation of non-County e-mail or Internet for personal gain is prohibited. Employees are prohibited from chat room interchange unless established by government agencies.

3. **COMMUNICATIONS**

Each employee is personally responsible for the content of all text, audio or images that they place or send over the County's e-mail/Internet system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else or someone from another entity. All messages communicated on the County's e-mail/Internet system should contain the employee's name. Excessive personal communications are prohibited.

Any messages or information sent by an employee to another individual outside the County via an electronic network (e.g., bulletin board, online service or Internet) are statements that reflect on the County. While some users include personal "disclaimers" in electronic messages, there is still a connection to the County and the statements may be tied to the County.

4. **SOFTWARE**

To prevent computer viruses from being transmitted through the County's e-mail/Internet system, there will be no unauthorized downloading of any unauthorized software. All software downloaded must be registered to the County. Employees should contact the County Judge/Executive if they have any questions.

5. **COPYRIGHT ISSUES**

Copyrighted material belonging to entities other than Simpson County may not be transmitted by employees on the County's e-mail/Internet system. All employees obtaining access to other companies' or individuals' materials must respect all copyrights and shall not copy, retrieve, modify or forward copyrighted materials,

except with permission, or as a single copy, to reference only. Failure to observe copyright or license agreements may result in disciplinary action up to and including termination.

6. **SECURITY**

The County routinely monitors usage patterns for its e-mail/Internet communications. The reasons for this monitoring are many, including cost analysis/allocation and the management of the County's gateway to the Internet. All messages created, sent or retrieved over the County's e-mail/Internet are the property of the County and should be considered public information. The County reserves the right to access and monitor all messages and files on the County's e-mail/Internet system. Employees should not assume electronic communications are totally private and should transmit highly confidential data in other ways. Passwords and sign-on access codes shall not be shared with anyone including co-workers, family members, or other unauthorized personnel. A County designee will be assigned as system administrator for e-mail/Internet purposes.

7. **VIOLATIONS**

Any employee who abuses the privileges of County-facilitated e-mail or the Internet will be subject to corrective action up to and including termination. If necessary, the County reserves the right to advise appropriate officials of any suspected illegal violations.

ACCEPTANCE OF SIMPSON COUNTY ADMINISTRATIVE CODE

I hereby acknowledge that I have received a copy of the Simpson County Administrative Code, Ordinance Number 230.32, as amended, effective April 2, 2024.

I understand that it is my obligation to read the Administrative Code and agree to follow all policies and procedures that are set forth therein. I agree to abide by the standards outlined in the document for the duration of my employment with Simpson County. I understand that this Administrative Code, and my signature below, does not constitute an employment contract and that the County is an at-will employer. Should I have any questions related to the Simpson County Administrative Code, it is my obligation to seek assistance from my supervisor, department head, Judge/Executive or appropriate constitutional officer.

I further understand that this Code may only be amended by a Fiscal Court Ordinance, but may be amended at any time.

Received by:

Employee Signature

Date

Employee Printed Name

Received by:

Judge/Executive or Designee

Date