

SHELBY COUNTY ADMINISTRATIVE CODE

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ADOPTED APRIL 2022

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**COMMONWEALTH OF KENTUCKY
SHELBY COUNTY FISCAL COURT
ORDINANCE NO. 04-05-02, SERIES 2022**

**AN ORDINANCE REPEALING SHELBY COUNTY CODE OF
ORDINANCES CHAPTER 91: ADOPTION OF ADMINISTRATIVE CODE,
AND SIMULTANEOUSLY ENACTING AN ORDINANCE ADOPTING A NEW
ADMINISTRATIVE CODE FOR SHELBY COUNTY, KENTUCKY**

WHEREAS, KRS 68.005, as amended, requires counties to adopt a county administrative code providing for procedures and designating responsibilities for the administration of county government business and affairs, and

WHEREAS, Shelby County, Kentucky, through the Shelby County Fiscal Court, by ordinance, previously adopted an administrative code providing for procedures and designating responsibilities for the administration of county government business and affairs with said ordinance having been codified in Shelby County Code of Ordinances Chapter 30.03, Adoption of Administrative Code, and

WHEREAS, Shelby County, Kentucky, through the Shelby County Fiscal Court, has reviewed that code and, based upon that review, now wishes to repeal said ordinance and simultaneously enact an ordinance adopting a new administrative for Shelby County, Kentucky,

THEREFORE, BE IT ORDAINED by Shelby County, Kentucky, through the Shelby Fiscal Court, pursuant to the authority granted by KRS 68.005, as amended, as follows:


1. Shelby County Ordinances Chapter 30.03, Adoption of Administrative Code, is hereby repealed.
2. Shelby County, Kentucky, through the Shelby County Fiscal Court, hereby simultaneously adopts a new administrative code, a copy of which is attached hereto and incorporated herein by reference pursuant to the statutory requirements of KRS 68.005, as amended.
3. The administrative code shall only be amended and revised pursuant to KRS 68.005, as amended.
4. Each page of the administrative code and any subsequent revisions shall have the seal of the county placed thereon with the initials of the County Judge/Executive and the Fiscal Court Clerk to verify authenticity.
5. This ordinance shall take effect upon its passage, approval and publication as required by law.

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INTRODUCED, SECONDED, AND GIVEN A FIRST READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 15th day of March, 2022.

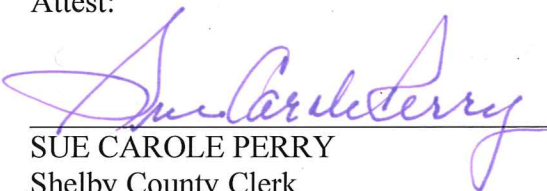
INTRODUCED, SECONDED, AND GIVEN A SECOND READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 5th day of April, 2022.

Adopted this 5th day of April, 2022.



DAN ISON
Shelby County Judge/Executive

Attest:



SUE CAROLE PERRY
Shelby County Clerk

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INTRODUCTION

PURPOSE AND AUTHORITY

The General Assembly of the Commonwealth of Kentucky enacted KRS 68.005 in 1978 for the purpose of promoting efficient administration of County government. KRS 68.005 requires the Fiscal Court to adopt a County administrative code which includes, but not limited to, procedures and designation of responsibility for the following:

- 1) General administration of the office of Shelby County Judge Executive (hereinafter 'County Judge Executive'), County administrative agencies and public authorities;
- 2) Administration of County fiscal affairs, including budget formulation; receipt and disbursement of County funds, preparation of records required for the County audit, and for filing of claims against the County;
- 3) Personnel administration, including description and classification of non-elected positions, selection, assignment, supervision and discipline of employees, employee complaints and the County affirmative action program;
- 4) County purchasing and award of contracts; and
- 5) Delivery of County services.

The County Judge Executive, as the chief executive officer of the County, is responsible for the organization and management of the administrative functions of County government. The Fiscal Court sets the County's policies and procedures. The County Judge Executive must execute these policies and procedures. The statute provides only general guidance as to the form and substance of a County's internal administrative organization. For this reason, the Fiscal Court of Shelby County enacts the following County Administrative Code.

SHELBY COUNTY FISCAL COURT ADMINISTRATIVE CODE

Shelby County Fiscal Court does hereby establish a County Administrative Code; dividing the administrative service of Shelby County into departments under the County Judge Executive; prescribing administrative policy and procedure; prescribing the function and duties of administrative units and officials of the government; prescribing the administration of fiscal affairs and procurement procedures; and prescribing for the delivery of County services.

BE IT ADOPTED BY THE FISCAL COURT OF SHELBY COUNTY:

CHAPTER 1 GENERAL PROVISIONS

SECTION 1.1 Short Title

- A. This document shall be known and may be cited as the "Shelby County Administrative Code."

SECTION 1.2 Definitions

- A. As used in this Code, unless the context otherwise requires:
- 1) *County Judge Executive* is the County Judge Executive.
 - 2) *County* is Shelby County, Kentucky, a governmental entity.
 - 3) *Fiscal Court* is the County body vested with the legislative powers of Shelby County.
 - 4) *Elected Official* means elected County officials other than the County Judge Executive.

SECTION 1.3 Amendments

- A. The Fiscal Court shall review the Shelby 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 Shelby County Administrative Code at that time. The County Judge Executive may at other times prepare and submit amendments to the Shelby County Administrative Code for approval by the majority of the Fiscal Court.

CHAPTER 2 GENERAL ADMINISTRATION

SECTION 2.1 County Judge Executive

- A. The Shelby County Judge Executive shall be the Chief Executive and Administrative Officer 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, Kentucky Revised Statutes and the Fiscal Court.
- B. The responsibilities and/or duties of the Shelby County Judge Executive, as defined by KRS 67.710, are as follows:
- 1) Provide for the execution of all ordinances and resolutions of the Fiscal Court, execute all contracts entered into by the Fiscal Court, and provide for the execution of all laws by the state subject to enforcement by him/her or by officers who are under his/her direction and supervision;
 - 2) Prepare and submit to the Fiscal Court for approval an administrative code incorporating the details of administrative procedure for the operation of the County and review such code and suggest revisions periodically or at the request of the Fiscal Court;
 - 3) Furnish the Fiscal Court with information concerning the operations of the County departments, boards, or commissions, necessary for the Fiscal Court to exercise its powers or as requested by the Fiscal Court;
 - 4) Require all officials, elected or appointed, whose offices utilize County funds, and all boards, special districts, and commissions exclusive of city governments and their agencies located within the County, to make a detailed annual financial report to the Fiscal Court concerning the business and condition of their office, department, board, commission, or special districts;
 - 5) Consistent with procedures set forth in KRS Chapter 68, prepare and submit to the Fiscal Court an annual budget and administer the provisions of the budget when adopted by the Fiscal Court;
 - 6) Keep the Fiscal Court fully advised as to the financial condition and needs of the County and make such other reports from time to time as required by the Fiscal Court or as he deems necessary;
 - 7) Exercise with the approval of the Fiscal Court the authority to appoint, supervise, suspend, and remove County personnel (unless otherwise provided by state law); KRS 67.710 (7) and

- 8) With the approval of the Fiscal Court, make appointments to or remove members from such boards, commissions, and designated administrative positions as the Fiscal Court, charter, law or ordinance may create. The requirement of Fiscal Court approval must be designated as such in the County administrative code or the County charter. KRS 67.710 (8).

SECTION 2.1A Deputy County Judge Executive Procedures

- A. The County Judge Executive may designate a Deputy County Judge Executive who shall serve as County Judge Executive in all matters, except those of a member of Fiscal Court, in the absence of the County Judge Executive.
- B. The County Judge Executive shall be deemed absent when he/she is physically absent from the County.

SECTION 2.2 Procedures for Organization/Reorganization of County Departments and Agencies

- A. The County Judge Executive may create, abolish or combine any County department or agency or transfer a function from one department or agency to another, provided that the County Judge Executive submits a written plan for the reorganization to the Fiscal Court.
- B. The reorganization plan shall 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, the long- and short-term costs, and the plan's impact on existing and/or proposed personnel and services.
- C. The plan shall be submitted to the Fiscal Court for approval at a meeting of the Fiscal Court.
- D. The County Judge Executive or the Fiscal Court may cause the records and accounts of any administrative agency to be examined at any time.

SECTION 2.3 Special Districts

The County Judge Executive may, with approval of the Fiscal Court, create any special district; or abolish or combine any special districts, provided such district was created solely by the County.

SECTION 2.4 County Representation on Boards and Commissions

- A. The County Judge Executive shall assure the representation of the County on all boards, commissions, special districts, and joint City-County programs in which County participation is required.

- B. Every independent board, commission, agency or special district which requires participation by County government shall submit a copy of its by-laws and a list of its governing body members to the County Judge Executive and the Fiscal Court within thirty (30) days of the start of the County government term of office. The independent board, commission, agency or special district shall submit a revised copy of its by-laws within 30 days of their approval when amended. When a vacancy exists, the list of governing body members should be submitted to the County Judge Executive no later than thirty (30) days before the County Judge Executive nominates a candidate for the vacancy.

SECTION 2.5 Appointed Positions

- A. With exception of the Treasurer, as stated in KRS 68.010, it shall be the responsibility of the County Judge Executive to make all appointments to any position created by Fiscal Court, subject to the approval of Fiscal Court as defined by KRS 67.710 (8).
- B. The County Judge Executive may appoint an assistant to assist with the execution of his administrative duties.
- C. The County Judge Executive may appoint, subject to the approval of the Fiscal Court, a Finance Officer to assist with the County fiscal affairs.
- D. The County Judge Executive may appoint, subject to the approval of the Fiscal Court, other personnel to assist with the County administrative and fiscal duties, including, but not limited to a County Administrator.

SECTION 2.6 Procedures for Appointment/Removal of Administrative Personnel and Members of Boards and Commissions

- A. The County Judge Executive shall inform the Fiscal Court of any open position on County boards or commissions, or in designated administrative positions.
- B. The County Judge Executive shall appoint qualified individuals to administrative positions and to boards and commissions, with the appointment subject to fiscal court approval.
- C. If the Fiscal Court rejects the appointment, the County Judge Executive shall submit an additional appointment(s) for each position.
- D. The appointment shall be filed and entered into by index into the Shelby County Executive Order Book which shall be maintained in the Office of the County Judge Executive.
- E. The Shelby County Fiscal Court may require an appointee to appear at a public hearing for the purpose of questioning the nominee about matters relating to the appointed position. The nominee shall be notified by mail if this is the intention of the Fiscal Court. The Fiscal Court shall provide the nominee with an opportunity to make a statement to the Fiscal Court concerning his nomination and qualifications.

- F. No person shall be selected as a member of a board or commission or for an administrative position if the person holds or is employed in a position which may be deemed as a conflict of interest.

SECTION 2.7 **Shelby County Procedures for Administrative Agencies**

- A. Each Shelby County Agency shall maintain the following records:
- 1.) A financial record of the agency's activities.
 - 2.) Within thirty (30) days after the close of each fiscal year, each administrative agency shall make a full report to the County Judge Executive and to the Fiscal Court. The report shall include a financial statement and the general scope of the operation of the agency during the preceding year.
 - 3.) Each administrative agency requesting Shelby County budget funds shall submit a detailed annual budget request to the County Judge Executive by March 1st of each year.
 - 4.) Each administrative agency of Shelby County shall keep minutes of its meetings to reflect on record its official actions.

CHAPTER 3 OPERATION OF FISCAL COURT

SECTION 3.1 Procedures for Meetings of Fiscal Court

- A. Regular meetings of the Shelby County Fiscal Court shall be held on the first Tuesday of every month at 6:30 pm. and on the third Tuesday at 10:00 am. The meetings will be held at 501 Main Street in the courtroom on the third floor.
- B. If the regular meeting days or date falls on a legal holiday, the meeting shall take place on a date agreed upon by the County Judge Executive and Fiscal Court.
- C. All meetings of members of Fiscal Court at which any public business is discussed or any action taken shall be open to the public at all times except as otherwise permitted by KRS 61.810.
- D. The County 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.
- E. Whenever the County Judge Executive is unable, or refuses to call a Special Meeting, a majority of the Fiscal Court may call a Special Meeting if, in their opinion, the need exists.
- F. Special meetings shall be called and conducted in accordance with the Kentucky Open Meetings Act (KRS Chap. 61).

SECTION 3.2 Presiding Officer

- A. The County Judge Executive shall be the presiding officer of the Fiscal Court at all regular and special meetings.
- B. If the County Judge Executive is not present or able to preside, a majority of the magistrates shall elect one of their members to preside.

SECTION 3.3 Quorum

- A. Not less than a majority of the members of the Fiscal Court shall constitute a quorum for the transaction of business.
- B. No proposition shall be adopted except with the concurrence of at least a majority of the members present, with the exception that passage of an ordinance requires a majority of the entire Fiscal Court.

SECTION 3.4 Disturbance of Meetings

- A. It shall be unlawful to disturb any meeting of the Fiscal Court or to behave in a disorderly manner at any such meeting.

- B. Any person violating any provision of this section may be prosecuted under the appropriate provisions of the Kentucky Penal Code.

SECTION 3.5 Order of Business

- A. At each regular meeting of the Fiscal Court an agenda will be presented prior to the meeting. This agenda shall be followed unless dispensed with by a majority vote of the members presented.
- B. At each Special or Emergency Meeting of the Fiscal Court, the agenda shall be followed with no other topics presented or discussed during the Special or Emergency Meeting.
- C. The County Judge Executive shall prepare an itemized list of all valid bills requiring Fiscal Court approval.
- D. No bill shall be approved for payment unless contained in the itemized list for the meeting with the exception of Pre-Approved Standing Orders.
- E. A majority of the Fiscal Court members may vote to forgo Section 3.5(D) and approve payment of bills not included on the itemized list as long as the bill is presented to Fiscal Court.
- F. The Fiscal Court may approve payment of the list of valid bills as a whole unless there is an objection voiced to any specific item.

SECTION 3.6 Fiscal Court Minutes

- A. The clerk of the Fiscal Court shall attend all meetings of the Fiscal Court and keep a full and complete record of its proceedings. In case of any instances the clerk may have to miss a meeting, he/she may delegate a replacement to fulfill his/her duties.
- B. The clerk of the Fiscal Court shall keep an index of all Fiscal Court records and make such index of all Fiscal Court records available for public inspection in accordance with the Kentucky Open Records Act (KRS Chap. 61.870 to 61.884).

SECTION 3.7 Rules of Order

- A. Except when in conflict with the foregoing provisions, Robert's Rules of Order shall govern the deliberations of the Fiscal Court.
- B. The rules of order, other than those prescribed by statute, may be suspended at any time by consent of a majority of the members present at the meeting.

SECTION 3.8 **Ordinances**

- A. An "ordinance" means an official written act of the Fiscal Court, the effect of which is general and lasting in nature, which is enforceable within the jurisdiction of the County; or a lawful appropriation of money.
- 1) All County ordinances shall be adopted in conformity with KRS 67.075 to 67.077, except that emergency ordinances may be adopted as provided in KRS 67.078.
 - 2) All ordinances to be included on the agenda shall be introduced to the County Judge Executive in writing after it has been reviewed by the County Attorney prior to the Fiscal Court Meeting.
- B. All ordinances shall be introduced in writing; relate to one subject only; and contain a title which expresses the subject; such as, "An Ordinance relating to. . ."
- C. There shall be inserted between the title and the body of each County ordinance an enacting clause written in the following manner: "Be It Ordained by the Fiscal Court of the County of Shelby, Commonwealth of Kentucky;"
- D. County ordinances shall be amended by ordinance and only by setting out in full each amended section;
- E. All ordinances shall contain an adoption date and shall only be passed by a majority vote of the members;
- F. No County ordinance shall be passed until it has been read on two separate days, unless an emergency is properly declared, but ordinances may be read by title and a summary only.
- G. No County ordinance shall be passed until it has been published pursuant to KRS Chapter 424.
- 1) Prior to passage, ordinances may be published by summary.
 - 2) Publication shall include the time, date and place at which the County ordinance will be considered, and the place within the County where a copy of the full text of the proposed ordinance is available for public inspection.
 - 3) If consideration for passage is continued from the initial meeting to a subsequent date, no further publication shall be necessary if at each meeting the time, date, and place of the next meeting are announced.
- H. All County ordinances and amendments shall be published after passage and may be published in full or in summary form at the discretion of the Fiscal Court.

CHAPTER 4 FINANCIAL MANAGEMENT

SECTION 4.1 Budget Preparation Procedures

The County Judge Executive is responsible for management of the fiscal affairs of the County and may personally perform the function of the Finance Officer.

- A. The County Judge Executive shall prepare and submit to the County Finance Committee proposals for the annual County budget based on a Fiscal Year of July 1 to June 30.
- B. The County Judge Executive may obtain budget proposals by each department, board, commission, or agency receiving funds from the Fiscal Court and may incorporate these proposals into the County Budget.
- C. The County Judge Executive shall prepare a report of anticipated revenue from intergovernmental transfers from local, state and federal governments.
- D. The County Judge Executive shall review the expenditures in each classification of each fund for the preceding and current fiscal years.
- E. The County Judge Executive shall obtain receipts for actual expenditures made during the current fiscal year from the County Treasurer.
- F. An estimate shall be made of any surplus, by fund, which will remain.
- G. The County Judge Executive shall obtain from the Sheriff an annual settlement, showing County taxes collected, not later than May 1 of the current year.
- H. The County Judge Executive shall obtain from the Property Valuation Administrator an official estimate of net assessment growth and an estimate of the ad valorem taxes that would be produced using the preceding year's tax rate.
- I. The County Judge Executive with the assistance of the County Treasurer shall submit the completed proposed budget to the Finance Committee not later than April 15th of each fiscal year.

SECTION 4.2 Duties and Procedures of the Shelby County Finance Committee

- A. The County Finance Committee shall be a committee comprised of members that are appointed by the County Judge Executive.
- B. The County Finance Committee shall review in detail the proposed budget that the County Judge Executive has prepared.
- C. The County Finance Committee shall include such budgets as may be required by the activities of the County.
- D. The review shall be conducted at a meeting or meetings held not later than April 30 of each fiscal year.
- E. Upon approving a proposed budget for the County, the Finance Committee shall forward a copy of the proposed budget to the Fiscal Court. The Shelby County Fiscal Court shall make comments, amendments and tentatively adopt the proposed budget prior to the County Judge Executive submitting the budget to the Kentucky State Local Finance Officer.

- F. Following action by the Fiscal Court the budget shall be submitted to the Kentucky State Local Finance Officer for approval as to form and classification. The Shelby County budget approved by the State and Local Finance Officer shall be submitted to Fiscal Court for adoption, in the form of an ordinance not later than July 1 or within ten (10) days after receipt of the certified assessment from the Department of Revenue as provided by KRS 122.180, which ever shall be later.
- G. The County Judge Executive shall cause a copy of the proposed budget to be posted in conspicuous place in the courthouse not less than ten (10) days before final adoption.
- H. A summary of the Shelby County budget shall be published in a newspaper of largest circulation in the County at least seven (7) but not more than twenty-one (21) days before the final adoption by Fiscal Court.
- I. The County Judge Executive shall maintain a copy of the budget as adopted together with any amendments adopted thereafter, for public inspection.

SECTION 4.3 County Budget Hearing Procedures and Requirements

- A. County Road Aid Fund (CRA) and LGEA:
 - 1) Notice of the proposed use hearing on the CRA fund shall be published prior to the hearing.
 - 2) The County Judge Executive shall conduct the proposed use hearing.
 - 3) Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge Executive as public record.
- B. Prior to adoption of the County budget and submittal to the State Local Finance Officer, the Fiscal Court shall conduct a budget hearing to show the relationship of Local Government Economic Assistance (LGEA) fund uses to other funds and uses. The date of the final budget hearing may be immediately prior to the first reading of the budget ordinance.
- C. Notice of the budget hearing shall be published in at least one (1) newspaper of general circulation and other news media in the community shall be advised. The preceding shall be as follows:
 - 1) Published notice of budget hearing not less than seven (7) days nor more than twenty-one (21) days prior to the scheduled hearing;
 - 2) The Fiscal Court shall conduct the budget hearing;
 - 3) Copies of the published notice and written minutes of the hearing shall be maintained by the County Judge Executive as public record.
 - 4) The County Judge Executive and the Fiscal Court Clerk shall set a date not later than July 1 for first reading of the budget ordinance for adoption.

- 5) After approval of the budget ordinance on first reading, the County Judge Executive shall give statutory notice of the second reading of said ordinance by the Fiscal Court.
- 6) The County Judge Executive shall publish or cause to be published a summary of the budget no more than thirty (30) days after its adoption by the Fiscal Court.

SECTION 4.4 Duties of the County Treasurer

A County Treasurer must keep records and make reports as set out in KRS 68.210, 68.020, 68.300, 68.360 and 66.480 and must also keep the following records as required by the Uniform System of Accounts for Kentucky Counties:

- A. Cash Receipts Journal and Cash Receipts Ledger
- B. Check Distribution Ledger
- C. Appropriation Ledger
- D. General Ledger
- E. Fixed Asset Schedule
- F. Liabilities Schedule
- G. Schedule of Expenditures of Federal Awards
- H. Investment Journals
- I. Account for each individually:
 - 1) General fund
 - 2) Road and bridge fund
 - 3) Jail fund
 - 4) LGEA fund (where applicable)
 - 5) A special account for each grant (not necessarily a separate fund)
- J. Prepare financial reports for the fiscal court and jailer each month, pursuant to KRS 68.360 and KRS 441.235.
- K. Prepare a quarterly financial statement for the State Local Finance Officer.
- L. Prepare an annual statement for the fiscal court within 30 days of the close of the fiscal year pursuant to KRS 68.020(5).
- M. Prepare an annual financial statement, pursuant to KRS 424.220.
- N. Countersign checks only if the following conditions exist:
 - 1) Claim reviewed by the fiscal court
 - 2) Sufficient fund balance and adequate cash in the bank to cover the check
 - 3) Adequate free balance in a properly budgeted appropriation account to cover the check.
- O. The County Treasurer is the sole officer bonded to receive and disburse County funds and could be liable on the County Treasurer's bond if correct records are not maintained and the procedures are not followed as required by law.

SECTION 4.5 **Claims against Shelby County**

- A. The County Judge Executive shall account for all claims against the County.
- B. All claims for payment from the County shall be filed in writing with the County Judge Executive.
- C. Each claim shall be recorded by date, receipt and purchase order number and presented to the Fiscal Court at its next meeting.
- D. Each order of Fiscal Court approving a 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 and regular County employees and recurring utility expenses are hereby preapproved. Other recurring expenses may be preapproved by the Fiscal Court upon authorization of the State Local Finance Officer.
- F. The depositor of Shelby County funds shall not honor any warrant on the County unless it is signed by both the County Judge Executive and the County Treasurer. In the absence of the County Judge Executive, the Deputy County Judge Executive may sign.
- G. Out of State Prisoners – Claims against the state for out-of-state prisoners should be filed with the State. If no County monies or vehicles are used and the agent is on their own time, then checks from the State should go to the agent making the trip. KRS 440.090
- H. Transporting In-State Prisoners – A verified and itemized statement of mileage and expenses shall be presented, by the Sheriff, to fiscal court for approval. If approved, the mileage is paid at the prevailing rate by the County Treasurer. KRS 64.070
- I. All offices collecting County or state monies shall utilize a daily deposit in an interest drawing account until settlement is made to the Commonwealth and County. County fees shall be remitted to the County no later than the 10th day of each month following the month of collection unless a written waiver is given by Fiscal Court.

SECTION 4.6 **Investment Policy**

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

- A. County Treasurer
- B. County Judge Executive

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

- A. Obligations of the United States and its agencies and instrumentalities including obligations subject to repurchase agreements, provided that delivery of these obligations subject to repurchase agreements is taken directly through authorized custodian. The investments may be accomplished through repurchase agreements reached with sources including, but not limited to, national and state banks chartered in Kentucky.
- B. Obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States government agency, including but not limited to:
 - 1) United States Treasury;
 - 2) Export-Import Bank of the United States
 - 3) Farmers Home Administration
 - 4) Government National Mortgage Corporation
 - 5) And Merchant Marine bonds.
- C. Obligations of any corporation of the United States Government, including but not limited to;
 - 1) Federal Home Loan Mortgage Corporation
 - 2) Federal Farm Credit Banks
 - 3) Bank of Cooperatives
 - 4) Federal Intermediate Credit Banks
 - 5) Federal Land Banks
 - 6) Federal Home Loan Banks
 - 7) Federal National Mortgage Association
 - 8) And Tennessee Valley Authority
- D. Certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are issued by the Federal Deposit Insurance Corporation or similar entity, or which are collateralized to the extent uninsured, by any obligations permitted by KRS 42.240 (4).
- E. The investment authority outlined above shall be subject to the following limitations:
The County shall not purchase any investment on a margin basis or through the use of any similar leveraging technique.
- F. The County hereby adopts the following procedures for monitoring controls, deposit or retention of investments and collateral;
 - 1) Working with a County investment advisor, the County should receive a report on the deposits quarterly;
 - 2) The deposits or investments should be physically located in a safety deposit box.

- 3) A third-party custodian is desired for the collateral
- 4) The County's bank/trustee should keep possession and control of the investment security, and
- 5) The County is recommended to keep a perpetual investment ledger.

G. The County hereby adopts the following standards for the diversification of investments, including diversification with respect to the types of investment and firm with which the County transacts business;

The County's funds should be diversified by security type and institution. With the exception of fully insured or fully collateralized investments and demand deposit accounts, no more than 20% of the County's total investment portfolio shall be invested in a single security type or with a single financial institution.

H. The County hereby adopts the following standards for the qualification of investment agents authorized to transact business with the County;

The criteria it uses in choosing investment advisors should be as follows:

- 1) Licensed to do business in Kentucky.
- 2) Experience
- 3) Capitalization of the investment advisor
- 4) Criteria covering credit worthiness.

The County shall receive reports on the status of investment of funds on a quarterly basis.

CHAPTER 5 PERSONNEL ADMINISTRATION

It shall be the policy of the County to maintain equal employment opportunities for its labor force which will be in compliance with applicable federal and state laws. The County is an at-will employer and is not subject to merit system governance or regulations.

As an Equal Opportunity Employer, the County is committed to nondiscrimination in hiring, promotion, discharge, pay, fringe benefits and other aspects of employment, on the basis of race, color, religion, sex, disability, age, national origin, veteran status, pregnancy, sexual orientation, gender identity, genetic information or ancestry, or because the individual is a tobacco user or non-tobacco user, as long as the person complies with any workplace policy concerning tobacco use.

SECTION 5.1 Purposes

These policies help provide for the recruitment, development and retention of the best employee for each position within the service of Shelby County.

- 1) Recruiting, selecting and advancing employees on the basis of their ability, knowledge, and skills, including open competition of qualified applicants for initial appointment;
- 2) Establishing proper pay rates;
- 3) Training employees as needed to assure high quality performance;
- 4) Assuring treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, disability, race, color, age, national origin, sex, religion or any other status protected by applicable law, and;
- 5) Assuring that employees are protected against coercion for partisan, political purpose and are prohibited from using their official authority for the purpose of interfering with or affecting the results of an election or a nomination for office.

SECTION 5.2 Administration of the Plan

Pursuant to KRS 67.710 the County Judge Executive is the Chief Executive of the County. The County Judge Executive, by law, shall have the powers and perform all duties of an executive and administrative nature vested in, or imposed upon the County or its Fiscal Court. The County Judge Executive is responsible for the proper administration of the affairs of the County placed in his charge. Pursuant to KRS 67.710 (7), the County Judge Executive, with the approval of the Fiscal Court, has the authority to appoint, supervise, suspend and remove County personnel, unless otherwise provided for by state statute. Notwithstanding the provisions of KRS 67.710 (7), KRS 67.611(1) gives the County Judge Executive express authority to hire a Deputy County Judge Executive and a reasonable number of other assistants, secretaries and clerical workers to work within the Judge

Executive's office, who shall serve at his/her pleasure. The Fiscal Court, pursuant to KRS 64.530 (4), is required to fix reasonable compensation for these positions.

The County Judge Executive is hereby designated as the County personnel administrator. In this capacity the County Judge Executive may delegate such duties and functions as he/she deems appropriate. The County Judge Executive is also the Executive Authority for the County government of Shelby County; as such title is used herein. The County Judge Executive may delegate such duties and functions as he/she deems appropriate.

SECTION 5.3 Personnel Policy of Constitutional Officers

- A. Each Elected Official shall be responsible for the supervision of all employees working within their particular office.
- B. Each Elected Official may develop a personnel policy for the operation of their respective office.
- C. In the alternative, each Elected Official may choose to adopt the personnel policies approved by Fiscal Court for the operation of their office. Should the Elected Official elect to utilize the personnel policies of the Fiscal Court, the Elected Official shall designate same, in writing, and deliver same to the County Judge Executive.

SECTION 5.4 Scope of Coverage

- A. The following County employees are expressly exempted from coverage:
 - 1) All Elected Officials.
 - 2) Employees of the Sheriff, County Clerk, County Attorney, Coroner, Constables and Jailer, unless expressly requested by the elected official in writing.
 - 3) All members of Boards and Commissions.
 - 4) Independent contractors.
 - 5) Consultants, Advisors and counsel rendering temporary professional services,
 - 6) Member of volunteer organizations.
- B. All County employment positions not expressly exempted from coverage by this section shall be subject to the provisions herein.

SECTION 5.5 Applicants

- A. Each applicant shall fill out and sign a standard written job application form, and each application shall be kept on file for at least one (1) year. All applicants shall sign a release authorizing the County to download and review the applicant's Kentucky Driving History Record or the Driving History Record for the state in which the applicant is licensed. Each employee shall also fill out and sign a background check release form once a job offer is extended.
- B. An applicant may be required to interview with the position's immediate supervisor prior to being hired.
- C. The County Judge Executive shall make the selection, subject to approval of Fiscal Court, and notify the applicant and supervisor in writing of the selection.
- D. Equal Employment Opportunity (EEO) information may be obtained from the applicant but shall not be used to exclude any person from employment.

SECTION 5.6 Supervision

The County Judge Executive is responsible for the supervision of County employees. This responsibility may be delegated to supervisory employees.

SECTION 5.7 Discipline Procedures

- A. The County Judge Executive shall discipline County employees by verbal or written reprimand, suspension or discharge. Fiscal Court approval would be needed for employee termination only.

SECTION 5.8 Affirmative Action

Affirmative Action

The equal employment objective of Shelby County Fiscal Court is to achieve, an employee profile, with respect to race and sex in each major job classification, which is an approximate reflection of demographic distribution. This objective demands full utilization of minorities and women at all levels of management and by job classification, as well as the absence of discrimination in employment due to factors of race, color, religious creed, sex, age, marital status, ancestry, national origin, disability, pregnancy, military status, sexual orientation or gender identity.

SECTION 5.9 **Definitions**

Where used within these personnel rules, the following words and terms shall have the meaning indicated below:

- a. Allocation: The assignment of an individual position to specific class of work based on the kind, difficulty, skill and responsibility of the work performed.
- b. Appointing Authority: That person or body having authority under the laws of the Commonwealth of Kentucky to make appointments to positions. Unless otherwise specified, the Appointing Authority shall be construed to mean the County Judge Executive.
- c. Appointment: The act of appointing authority by which a position is filled.
- d. County Employees: Those employees supervised by the County Judge Executive or the CJE's designee.
- e. Demotion: Changing one employee from one class of work to a different class of at a lower pay grade.
- f. Elected Official: Any elected official holding one of the County constitutional offices other than the County Judge Executive.
- g. Position: An individual job within the County's personnel system.
- h. Position Description: A detailed written description of the specified duties assigned to and performed by a particular employee.
- i. Probationary Period: A working test normally established as twelve calendar months (employees hired on a day other than the first of the month shall have a probationary period consisting of the month hired, from the date of hire, and the ten subsequent full calendar months), during which an employee is required to demonstrate by actual performance, his or her fitness to perform the duties of the position to which appointed. Upon justification to the appointing authority and written notification to the employee involved, a department head may extend the probationary period beyond the twelve full calendar months. The probationary period does not apply to transfers from another department.
- j. Completion of the probationary period does not give an employee continued rights to employment with the County as the County is an at-will employer and may terminate employment at any time. Completion of the probationary period will entitle the employee to receive leave time.
- k. Termination: The separation of an employee from the County personnel system by resignation, retirement, layoff, dismissal or death.
- l. Dismissal: The termination of an employee.

- m. Layoffs: The involuntary separation of an employee from his position and class due to a reduction in work force.
- n. Resignation: The voluntary termination of employment by an employee.
- o. Retirement: The termination of employment and transfer to retired status of an employee

CHAPTER 6 BENEFITS

Employee benefits constitute a basic feature in personnel administration and represent a substantial financial commitment by Shelby County Fiscal Court. However, it is expressly noted that the provision of any benefit to County employees is not intended to create any employment contract that compromises its at-will employment status. As expressly stated, these policies are not intended to create a contract of employment.

SECTION 6.1 Eligibility for Benefits

Part-time employees shall be granted only the following benefits – FICA, Unemployment Insurance and Worker's Compensation unless retirement participation is required by the County Retirement System (CERS).

Full-time employees shall be granted all benefits as outlined in this section. Other benefits are available for full-time employees at their expense as outlined in this section. A full-time employee for benefit purposes will be any employee that works 32+ hours a week on a regular basis, in a regular position.

NOTE: Due to the implementation of the Affordable Care Act, for the purpose of health insurance coverage an employee will be eligible for Health Insurance Benefits if they average 32+ hours a week over the time period of one year.

Any changes such as name, address, phone number, etc. initiated by employees should be made in writing to the manager of Human Resources. This will be placed in the employee's personnel file.

Similarly, any insurance related changes such as beneficiary, marital status, childbirth, adoption, etc. initiated by the employee should be discussed with the manager of Human Resources as soon as the employee is aware of the change to obtain necessary forms and to get the changes processed within the insurance timelines and to ensure the correct insurance premiums are being deducted for the employee, from their paychecks.

Employees will be kept up to date on plan changes as soon as the insurance companies notify the manager of Human Resources. Refer to your summary plan descriptions for details on your medical (health).

SECTION 6.2 COBRA Rights – Consolidated Omnibus Budget Reconciliation Act)

The Consolidated Omnibus Budget Reconciliation Act requires employers sponsoring group health plans to offer employees and certain eligible dependents the opportunity to purchase a temporary extension of health insurance coverage, at group rates, in certain instances when coverage under the plan would otherwise end. The following information is intended to give employees of Shelby County Fiscal Court information regarding their rights and obligations under this federal legislation.

Qualifying Events

Employees and eligible dependents provided health insurance by the County are entitled to purchase continuation of coverage if a "qualifying event," as described below, occurs:

- A. Termination of Employment/Reductions of Hours – An employee and his eligible dependents can purchase up to 18 months of COBRA coverage if the employee (and his/her dependents) lose health coverage as a result of the employee terminating employment (other than as a result of gross misconduct) or reducing the employee's hours of employment.
- B. Death, Divorce, Entitlement to Medicare or Loss of Dependent Status – An employee's eligible dependents lose health coverage because of the employee's death, divorce/legal separation or entitlement of Medicare, or because the dependent ceases to be an eligible dependent under the plan.

Eligible Dependent

A dependent is eligible to purchase COBRA coverage if the dependent was covered under the group plan on the day before a COBRA event and will lose coverage as a result of the COBRA event. Each affected employee and dependent can make a separate election whether or not to purchase COBRA coverage. An employee or dependent cannot, however, elect COBRA if he/she was entitled to receive Medicare on the day before the COBRA event.

Employer Notification of Employee/Dependent Eligibility. Upon an employee being hired into a position that is provided health insurance by the County, the employee shall be provided notification of the COBRA program and its applicability to the employee. Additionally, within 14 days of a qualifying event, the County will provide the employee and eligible dependents with notification of the opportunity to purchase COBRA coverage.

Timeframe for Electing Coverage

The deadline for making a COBRA election is 60 days after whichever comes later: the date the required COBRA notice is sent, or the date coverage would otherwise end if COBRA coverage were not elected.

Premium for COBRA coverage

Employees or dependents who elect to purchase COBRA coverage will be charged 102% of the cost of providing coverage. Under certain circumstances, employees who are determined by the Social Security Administration to be disabled when their employment is terminated are entitled to extend their coverage 10 months to 29 months. In such cases the premium is due on the first day of the month. Payments can be paid not later than the 30th day of the month.

Termination of Coverage

The COBRA coverage period will end on the first to occur of the following dates:

- the date the 18-, 20- or 36-month maximum coverage period ends,
- the date the employer terminates all group health plans;
- the first day an employee or dependent fails to timely pay the COBRA premiums;
- the date the employee or dependent is covered under another group health plan, unless the other group plan excludes or limits coverage for a pre-existing condition affecting the employee or dependent; or
- the first date the employee or dependent is entitled to Medicare benefits.

CHAPTER 7 EMPLOYMENT PROCESS

SECTION 7.1 Announcement of Positions

Announcement of a position shall include such information as to where to apply, deadlines for application, the title and pay range for the position, summary of duties of the position, and the position qualifications required. All written announcements of a position shall contain the following statement; "An Equal Opportunity Employer."

Announcements for newly established or existing positions may be made public in a newspaper of general circulation in the area. The Shelby County Fiscal Court workforce will be notified of newly established positions by posting job vacancies in a conspicuous place to which employees have access for a period of at least two (2) weeks. Employees' written requests for consideration for the positions shall be made to the Manager of Human Resources.

Consideration will be given to current employees in filling new and vacant positions. However, if the County Judge Executive deems that the best interests of the County are served by seeking applications from persons other than the existing workforce, he/she will seek applications as deemed appropriate.

SECTION 7.2 Applications for Positions

- A. Official application forms supplied by the County and completed by the applicant shall require, not limited to, but including the following:
 - 1) Information about the applicants' training and experience;
 - 2) References and signed release forms;
 - 3) Whatever additional information is required for an evaluation of the applicant's fitness for the position for which he/she applies.
 - 4) Any additional testing or evaluations deemed necessary for employment including, but not limited to pre and/or post-employment physical.
- B. Each application shall be reviewed by the Manager of Human Resources or appropriate Department Head and other such persons as deemed appropriate.
- C. No person may be appointed to a position unless verified information on an official application form indicates that the person meets the required qualifications set forth in the position description.
- D. All application forms filed with the County shall be kept by the Manager of Human Resources or the appropriate department head for a period of one (1) year. All applications shall be acknowledged in writing.
- E. All applicants shall be given a copy of the position description describing the job requirements and necessary qualifications.

- F. Full-time employees shall be entitled to all benefits in these policies. Part-time or temporary employees shall not be entitled to any benefits unless otherwise stated in these policies.
- G. In determining the qualifications of an applicant for a position the County may consider one or more of the following:
- 1) Information the applicant supplies on an application form prescribed and supplied by the County;
 - 2) Written, performance or post job-offer examinations;
 - 3) Interviews,
 - 4) Information and evaluations supplied by the references whom the applicant identifies on the application form; and
 - 5) Other appropriate means.
- H. All County employees shall be appointed and removed by the County Judge Executive, with the approval of the Fiscal Court, unless they are employees appointed pursuant to the authorities granted to the County Judge Executive by KRS 67.711 (1). Employees of County Constitutional offices shall be appointed and removed by the appropriate Constitutional Officer/Department Head.

SECTION 7.3 Orientation of New Personnel

An orientation shall be provided to all new employees by the County Manager of Human Resources and their department head on or before their first day of employment.

The orientation shall consist of the following elements:

- 1) Explanation of the purpose and goals of the County;
- 2) Overview of management policies and procedures; and
- 3) Other elements deemed appropriate.

A copy of the County's Administrative Code will be given to each employee at the orientation/new hire paperwork process. Employees are expected to be familiar with the contents of these policies and are encouraged to discuss any questions with their department head or the Manager of Human Resources. Each new employee will be required to sign receipt of the Personnel Policies and Procedures/Administrative Code and the Shelby County Fiscal Court Employee Handbook.

During the new hire paperwork process, they will acknowledge by signature and date their full understanding of the Personnel Policies and Procedures/Administrative Code. This form will be returned to the Manager of Human Resources for placement in the employee's personnel file.

SECTION 7.4 Background Investigations

It is the policy of the Shelby County Fiscal Court to conduct pre-employment background checks on all prospective employees and volunteer personnel. These will be conducted after a conditional job offer or after completion of the volunteer application.

The background investigations will be conducted by an outside organization.

SECTION 7.5 Modified Duty

Sometimes employees are temporarily unable to perform their regular jobs because of a limited physical or mental condition. When an employee is expected to return to full duty in the near future, the County may choose to temporarily reassign an employee to another position, which the employee can perform, or to restructure essential job functions. This practice is referred to as "modified duty", and it is used to help the employee work until they can return to full duty. A note from a doctor will be required for this to be a consideration. Modified duty may not always be available.

SECTION 7.6 Promotion

When a vacancy occurs in a position above the entrance level, consideration shall be given to promotion of current qualified employees. However, if the County Judge Executive deems that the best interest of the County necessitates the appointment of an applicant not currently employed by the County, the position may be filled by appointment of a person from outside the government.

An employee occupying a regular position may be promoted from one position to a higher position only if he/she possesses the minimum qualifications for the higher position and if the position is vacant.

SECTION 7.7 Demotion

In the event an employee becomes unable to perform the duties with reasonable accommodation as stated in the position description or for disciplinary reasons, in lieu of layoff, or if an employee just cannot perform the job duties at a satisfactory level of efficiency as requested by their supervisor, an employee may be demoted, at the County's discretion, provided the employee meets the qualifications for the demoted position, and the position is vacant. The employee's salary for the position to which he/she is demoted shall convert to the position to which he/she is being demoted.

SECTION 7.8 Full-Time to Part-Time Change

An employee changing from full-time to part-time status shall be compensated for all unused vacation and holiday time. If there are any sick hours left from being full-time, the employee won't be able to use those in a part-time position status nor will they accrue any more sick time as a part-time employee. The hours that were remaining from the full-time status will be reported to Kentucky Public Pensions Authority (KPPA).

SECTION 7.9 Re-employment/Reinstatement

The County Judge Executive, with the approval of the Fiscal Court, may re-employ any former employee who has resigned from the County with a satisfactory employment record, or who has been laid off because of lack of work or funds.

SECTION 7.10 Retirement

If an employee is interested in retiring it is best to contact the Kentucky Public Pensions Authority (1-800-928-4646) in order to become fully aware of retirement benefits, forms to complete, etc.

CHAPTER 8 POLITICAL ACTIVITY

As an employee of Shelby County Fiscal Court, the Hatch Act of 1939 governs an employee's role in politics. The Hatch Act restricts the political activity of an individual principally employed by a state or local government in connection with a program financed in whole or in part by federal loans and grants. Political activity laws apply at all times including periods of annual (vacation), sick leave or leave without pay.

- 1) No employee as a condition of employment or continued employment shall be required to contribute to a campaign for any candidate for political office.
- 2) No employee of Shelby County Fiscal Court shall engage in political activity during his/her assigned work hours or while in uniform.

SECTION 8.1 News Media

The County Judge Executive and/or his designee handle all media relations and regular public information services, depending on the subject matter, unless that job task is assigned to another employee. Whenever a staff member is contacted by the new media, be professional. Refer the reporter to the County Judge Executive and/or his designee. As soon as the employee has been contacted by the media, inform the department head and the County Judge Executive and/or his designee.

CHAPTER 9 TRAVEL/FRINGE BENEFITS

SECTION 9.1 TRAVEL

Employees will be reimbursed for pre-authorized travel expenses incurred in the performance of their work but not for commuting to and from the workplace. Any costs incurred should be the most economical consistent with the County's best interest.

Any employee of the County incurring expenses for a pre-approved County related business trip shall be reimbursed as follows:

- 1) Air travel must be approved in advance and justification provided that show this is the best means of transportation.
- 2) Air travel shall not be First Class unless other seating is unavailable. Under reasonable circumstances, or for necessary expediency, the County Judge Executive may authorize other travel means.
- 3) Lodging shall be preapproved and paid using the County issued credit card for the actual expense of the room and ONLY for the employee. Receipts must be provided for lodging. **NOTE: Overnight Stay Will Only Be Reimbursed If Travel Is Beyond A 45 Mile Radius of Shelbyville.**
- 4) Conference and registration fees shall be approved in advance by the County Judge Executive or department head. Under no circumstance is an employee to pay using their personal credit card and request to be reimbursed.
- 5) Use of rental vehicles must be approved in advance by the County Judge Executive or justifications provided that show the use of such vehicle was more feasible than other types of available transportation. Employees should always expect to use a County owned vehicle for transportation means when at all possible.
- 6) An employee shall be reimbursed for meals only if the employee's travel requires overnight stay. The County will also reimburse an employee for lunch at out of County required training, if lunch isn't provided, at the following rates:
 - a. Breakfast \$12.00/Daily
 - b. Lunch \$15.00/Daily
 - c. Dinner \$20.00/Daily

All original receipts must accompany the reimbursement request for meals. If paying with a debit/credit card make sure the detailed copy of the receipt is what

you turn in to Finance showing what was purchased, not the receipt only showing a total paid.

- 7) Other necessary expenses which were unforeseeable prior to travel may be approved by the County Judge Executive or department head upon presentation of documentation of the need for such expense.
- 8) Receipts for all expenditures shall be obtained and attached to the request for reimbursement, which must be completed as soon as possible upon completion of travel. All requests for reimbursement shall be signed by the supervisor and the employee.
- 9) Employees violating this section will be subject to appropriate disciplinary action.

SECTION 9.2 Non-exempt employee travel

Non-exempt employees will be paid for required travel time or required meetings if they fall outside of regular working hours. See examples:

- 1) The employee travels on Saturday or Sunday during his/her regular hours during the week the employee would get paid for travel time. The employee is to fly out at 10:30 a.m. on Saturday morning. The employee is required to be at the airport at 8:30am, the flight lasts until 2:00pm. The employee would get paid from 8:30am until 2:00pm.
- 2) If the employee drives to a conference, if approved through the travel request process, the employee will be paid for the time driving the car.
- 3) If the employee travels outside regular work hours, the employee will not get paid travel time if the employee is a passenger on an airplane, train, boat, bus or in an automobile.
- 4) When an employee arrives at a conference and there are optional events to attend, the employee will not be paid for optional events. If it is listed on the conference program as an event of the conference the employee will be paid for attendance. If the employee chooses to go shopping, sightseeing, etc., on his/her own time, the employee will not be paid for that time, nor will transportation fees be allowed for reimbursement.
- 5) Travel from home to work, from work to home, from Shelby County Fiscal Court or business location to lunch and from the lunch site returning to work is not work time. If returning from the business site to the office; it is considered work time.

SECTION 9.3 Expense Reimbursement

- A. Subject to budgetary limitations, any officer or employee of the County incurring expenses for approved travel on behalf of the County shall be reimbursed for allowable out-of-County travel expenses as follows:

- 1) Room Costs: Reimbursement for actual amount on receipt only if preapproved by the County Judge Executive. Rooms should be reserved using the County credit card. Arrangements to use the County issued credit card should be made with the County Treasurer.
- 2) Meal Costs: Not to exceed \$47.00 per day (upon presentation of receipt(s)).
- 3) Air Fare: Lowest coach fare. County Judge Executive approval required.
- 4) Other Expenses: Tolls, parking and similar expenses. Expenses shall be necessary and reasonable. No expenses shall be reimbursed which are not directly related to job related purposes or other County business purpose. Receipts or notarized statements are required.
- 5) Higher reimbursement rates may be authorized due to travel site (i.e., high-rate areas). Commonwealth of Kentucky regulations shall be utilized for guidance.

B. Authorization

All travel by County employees must be approved in advance by the employee's department head and the County Judge Executive. Meeting notices supporting travel shall be submitted with the travel request, when available. The employee will need to make arrangements with the County Treasurer to use the County issued credit card to make travel reservations.

C. Reimbursement

- 1) The Expense Reimbursement Form must be completed (including required receipts) and submitted to the Finance office within (5) business days after returning from travel.
- 2) The Expense Reimbursement Form must be signed by the employee requesting reimbursement, the Department Head and the County Judge Executive.
- 3) In addition to the reimbursement policies purchases must also follow all procurement procedures as outlined in the County procurement policy i.e., purchase order number request, no sales tax, etc.

SECTION 9.4 Use Of Personal Vehicle

When an employee uses his/her personal vehicle in the performance of his/her duties the employee is responsible for his/her safety and security. The employee is required to exercise the utmost care and caution while operating the vehicle. Employees who operate personally owned vehicles while on Shelby County Fiscal Court business are still required to abide by all applicable state laws in addition to the following rules and regulations.

Any employee who drives a personal vehicle while on Shelby County Fiscal Court business whose driving record shows any of the following conditions will be considered to have an unacceptable driving record and will not be permitted to perform work for Shelby County Fiscal Court in their own personal vehicle until his/her record no longer exhibits one of the criteria listed below:

- 1) One or more serious violations(s) in the last two years*.
- 2) Two or more at-fault accidents in the last year involving a privately owned vehicle being used for Shelby County Fiscal Court purposes, where each accident results in a single combined property damage value in excess of \$10,000 (See below**).
- 3) Any combination of four at-fault accidents within a one-year period, or five at-fault accidents within a two-year period, regardless of monetary loss due to property damage (See below***).
- 4) More than three moving violations* in the last two-year period, including traffic citations received as a result of an accident.
- 5) Any combination of at-fault accidents and/or moving violations equaling six or more within the last two years.

*Unless otherwise noted above, moving violations include those that involve personal vehicles that are and/or are not being used during employment.

**Serious violations include, but are not limited to driving while intoxicated; driving while under the influence of drugs; negligent homicide arising out of the use of a motor vehicle (gross negligence); operating a vehicle without a license; using a motor vehicle during the commission of a felony; aggravated assault with a vehicle; operating a vehicle without the owners authority (grand theft); permitting an unlicensed person to drive; reckless driving; speed contest; and hit and run driving.

In the event an employee is no longer eligible to drive and that is a requirement of the employee position, the employee may face termination.

***Any employee involved in three or more at-fault accidents within a one-year period, or more than four within a two-year period (regardless of accident type or monetary loss), will be required to attend a defensive driving course or similar remedial type training, as approved by Shelby County Fiscal Court, at the employee's expense. The employee's respective department head will be responsible for ensuring that the employee receives this training within a reasonable time frame, that training is documented, and all documentation is forwarded to the Manager of Human Resources. The respective department head and Manager of Human Resources shall be responsible for making a recommendation to the County Judge Executive the appropriate corrective action for any employee who obtains an unacceptable driving record and thus is prohibited from performing their job duties.

No one is permitted to ride outside the passenger compartment when a vehicle is in motion. Automobile liability insurance coverage must be maintained on any vehicle being driven for Shelby County Fiscal Court business. State required minimum bodily

injury/physical damage limits must be maintained. Department heads are responsible for obtaining copies of employee's driver's license each year and forward a copy to the Manager of Human Resources.

SECTION 9.5 General Rules and Regulations

The following rules and regulations apply to any employee who drives any vehicle on Shelby County Fiscal Court business:

- 1) Vehicle operators must possess a current Kentucky Operators License appropriate to the vehicle being driven.
- 2) Any license suspension or revocation must be reported to his/her immediate supervisor. All reportable accidents and/or moving violations shall be forwarded to the Manager of Human Resources.
- 3) Drivers will not operate vehicles when under the influence of alcohol or illicit and/or driving-impairing drugs, including over the counter and prescription medications.
- 4) Flasher lights on trucks, cars and equipment should be used as emergency or work conditions require. Flasher lights are not to be used as an excuse to gain the right of way or to break traffic rules.
- 5) All traffic laws of the State of Kentucky, including signs and speed limits, will be observed.
- 6) Vehicles used for Shelby County Fiscal Court business should be properly maintained and in a generally safe operating condition.
- 7) Employees shall not transport passengers except for those who are employees of Shelby County Fiscal Court or are conducting business with or on behalf of Shelby County Fiscal Court.
- 8) There shall be no transporting done in County owned vehicles unless it is work related. No transporting equipment, furniture, etc.
- 9) Anyone found to abuse the use of County vehicles will be subject to suspension, up to and including termination if the offense so warrants.
- 10) It shall be the general policy that no County employee shall allow a "passenger" to ride in a County vehicle. Should an emergency, business purpose or extraordinary circumstance exist, it shall be permissible for a passenger to ride in a County vehicle. However, should such an event exist, the employee allowing the passenger to ride in the County vehicle shall report this to his/her supervisor.

SECTION 9.6 Driving Record Acceptability

The Manager of Human Resources will obtain Motor Vehicle Records on all Shelby County Fiscal Court employees once every year. They will be reviewed by the Manager of Human Resources to determine if any employee has an unacceptable driving record. Employees that have an unacceptable driving record will be notified in writing by the Manager of Human Resources using the "Notice of an Unacceptable Driving Record" form. A copy of the completed form will be sent to the employee's department head.

SECTION 9.7 Drug Testing Policy

In the event an employee has an accident when using a personal vehicle in the course of employment, Shelby County Fiscal Court reserves the right to require a drug test. If an employee tests positive for alcohol, illegal drugs or misuse of over-the-counter medication disciplinary action will be taken up to and including immediate termination.

SECTION 9.8 Record Keeping

- 1) Any Notice of An Unacceptable Driving Record will become part of an employee's personnel file.
- 2) The Manager of Human Resources will maintain a copy of the Motor Vehicle Record and Uniform Police Traffic Accident and/or Kentucky Uniform Traffic Accident reports in a file.
- 3) Signed Drug Testing Policy Consent Forms will be maintained in the employee's personnel file. Any copies of the results of the tests will be maintained in a separate medical file.
- 4) A copy of the employee's driver's license will be kept on file and should always be current.

SECTION 9.9 Accidents

Shelby County Fiscal Court's auto insurance applies to any employee who has an accident when using their personal vehicle on Shelby County Fiscal Court business. Department heads must be contacted immediately following any accident. After the department head is contacted a police report must be obtained and submitted to the Manager of Human Resources as soon as possible along with the insurance paperwork completely filled out. Pictures should be taken, if possible. The circumstances of the accident and who is at fault will determine who pays the deductible, etc.

Shelby County Fiscal Court will first defer to their insurance company regulations and then it will be at the discretion of the claims adjuster as to fault and payment of claims. Any and all accidents, injury or non-injury, will result in the employee being sent for a drug screen.

The Manager of Human Resources will inform the County Judge Executive or the Deputy Judge Executive with accident information.

SECTION 9.10 Fringe Benefit Provisions

Shelby County Fiscal Court owns, leases, and maintains various motor vehicles that are provided to select positions for conducting County business. Only County employees or Elected Officials are authorized to operate employer provided vehicles. No persons, other than County employees or Elected Officials, are covered by the County's liability and/or automobile insurance policies. Only County employees or Elected Officials and those individuals

accompanying a County employee or Elected Official in an employer provided vehicle to a County function or job are covered by the County's liability and/or automobile insurance policy.

Failure to comply will result in personnel action up to and including termination of employment.

Per IRS Publication 15-B (2022) there are some County owned vehicles that are subject to the fringe benefits tax withholding.

CHAPTER 10 COUNTY PROPERTY

- A. Any employee found to have damaged County property may be subject to discipline, up to and including dismissal.
- B. The County Judge Executive and Elected Officials are responsible for the equipment that is used in their office. A list of each office's equipment is to be kept current. A copy of the list shall be sent to the Human Resources office annually in June.

CHAPTER 11 BOARDS AND COMMISSIONS

SECTION 11.1 Maintenance of Records of Administrative Agencies and County Departments

- A. All agencies which receive County funding shall file a copy of the agency's annual budget with the County Judge Executive. It shall also file a copy of each audit required by law with the County Judge Executive and the Shelby County Clerk.
- B. All agencies which receive County funding shall maintain a financial record of the agency activities containing the amount budgeted for the year, the amount expended to date and the balance available. By the fifth business day of each month, the head of each County agency and each County department shall provide the County Judge Executive with the following information:
 - 1) A statement which describes the agency's or department's activities during the month;
 - 2) A financial statement containing the total amount of appropriations for the agency, the amount spent and encumbered by the agency during the preceding month, the total amount encumbered during the fiscal year, and the amount of the total appropriation, which is still available for spending; and
 - 3) A list of any citizen complaints made to the agency or department during the preceding month and the steps taken to correct the situation.

SECTION 11.2 Regular Meetings

- A. All meetings at which County business is discussed by an agency which receives County funds, or any action taken by said agency, shall be open to the public, unless exempt by KRS 61.810.
- B. A majority of the members of the agency board shall constitute a quorum to conduct official business.
- C. A record of all motions on official actions taken by the agency, also known as "minutes" shall be kept and made available to the County Judge Executive upon his request.

CHAPTER 12 PROCUREMENT POLICY (IN COMPLIANCE WITH KRS 68.210)

The policy set forth in this document establishes standards and guidelines for the procurement of supplies, equipment, construction, and services by the Shelby County Fiscal Court to ensure that they are obtained as economically as possible and that contracts are managed with good administrative practices.

Please refer to the Procurement Policy for specific details. It is documented at the Shelby County Clerk's Office as Document #475060 – Book O2019 Pages 631-637.

CHAPTER 13 PROCUREMENTS THAT REQUIRE A COMPETITIVE BIDDING PROCESS (KRS 424.260) - (as approved at Fiscal Court meeting 7/20/2021)

Always refer to Kentucky Revised Statute 45A, especially 45A.080 Competitive sealed bidding.

Please refer to the Proper Bidding Procedures. It is documented at the Shelby County Clerk's Office as Document #475061 – Book O2019 Pages 638-640.

CHAPTER 14 GRANT PROCEDURES (as approved at Fiscal Court meeting 7/20/2021)

Please refer to Grant Procedures Policy for specific details. It is documented at the Shelby County Clerk's Office as Document #475062 – Book O2019 Pages 641-642.

CHAPTER 15 CODE OF ETHICS ORDINANCE

Please refer to Shelby County Fiscal Court Ordinance NO. 12-1-07 – SERIES 2020. It is documented at the Shelby County Clerk's Office as Document #467011 – Book O2019 Pages 325-336.



SHELBY COUNTY FISCAL COURT
ADMINISTRATIVE CODE ADOPTED 4/5/2022
RECEIPT ACKNOWLEDGEMENT

I hereby acknowledge receipt of the Shelby County Fiscal Court Administrative Code. I understand and agree that it is my responsibility to read and comply with the policies in the Administrative Code.

I understand that the documents and all other written and oral materials provided to me are intended for informational purposes only. The Administrative Code, county practices, and other communications do not create an employment contract or term. I understand that the policies and benefits in the Administrative Code and those communicated to me in any other fashion, are subject to interpretation, review, removal, and change by management at any time without notice.

I further understand that I am an at-will employee, and that neither this document, nor any other communication shall bind the county to employ me, now or hereafter, and that my employment may be terminated by me or the county without reason, at any time. I understand that no representative of the county has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment or make any agreement contrary to the foregoing.

Employee's Name (PRINT)

Signature of Employee

Date Signed by Employee

Human Resources Manager

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE