

Introduction / Purpose and Authority / Acknowledgement

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:

- A) General administration of the office of County Judge/Executive (hereinafter 'County Judge'), County administrative agencies and public authorities;
- B) 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;
- C) 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;
- D) County purchasing and award of contracts; and
- E) Delivery of County services.

The County Judge, 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 priorities. The County Judge must execute these policies and priorities. 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 Crittenden County enacts the following County Administrative Code.

Crittenden County Administrative Code

Crittenden Co. Fiscal Court does hereby establish a County Administrative Code; dividing the administrative service of Crittenden County into departments under the County Judge; 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 CRITTENDEN COUNTY:
This 30th day of June, 2023.**

Judge Executive Signature

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Record of Approval and Amendments

FY 2018-2019:	June 21, 2018
Amended Section 5.35	December 20, 2018
Added Form 122018	
Addition of Section 11.5.....	May 23, 2019
Amended Section 5.25	June 20, 2019
Amended Section 5.32	
Amended Section 5.41	
Amended Section 8.4	
Amended Section 8.6	
Amended Section 8.9	
FY 2019-2020.....	June 28, 2019
Revised Spay/Neuter Adoption Voucher, CCAS Form 081519.....	August 15, 2019
Added Conflict of Interest Policy.....	February 20, 2020
Added Code of Ethics Ordinance 94-O-07.....	March 19, 2020
FY 2020-2021	June 30, 2020
Amended Section 5.8	June 30, 2020
Amended Section 5.23	September 17, 2020
Amended Section 5.23	January 21, 2021
Added CCAS Form 01212021	January 21, 2021
Addition of Chapter 7 subsection D	January 21, 2021
Addition of Section 6.7.....	February 18, 2021
Addition of Section 11.3.a.....	May 20, 2021
Amended Employee Agreement.....	June 17, 2021
Addition of Section 11.6	
Addition of Section 6.8	
Addition of Section 6.9	
Addition of Section 6.10	
Amended Section 5.51	
Addition of CC Form 06172021	
Addition of CC Form 06212021	
Amended Section 5.8 (through the Clerk Office P & P)	
FY 2021-2022.....	June 30, 2021
Amended Section 5.51	January 20, 2022
Amended CC Form 06172021	January 20, 2022
Amended Section 5.50	March 17, 2022
Amended Section 5.34	June 16, 2022
Amended Section 5.41	June 16, 2022
Amended Section 5.51 & Form 011818.....	June 30, 2022
FY 2022-2023.....	June 30, 2022
Amended Section 5.35	October 20, 2022
Amended Section 5.32	November 14, 2022
Amended Section 6.11	March 23, 2023
Amended Section 5.6	May 18, 2023
Amended Section 8.4	June 15, 2023
Amended Section 5.8	June 30, 2023

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FY 2023-2024 June 30, 2023
Amended Section 5.51 August 24, 2023

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Amended June 17, 2021

CRITTENDEN COUNTY ADMINISTRATIVE CODE

EMPLOYEE AGREEMENT

I acknowledge that I have received a copy of the current Crittenden County Fiscal Court's Administrative Code in either hardcopy or digital format.

I understand that it is my obligation to read the Crittenden County 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 Crittenden County Fiscal Court. 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 Crittenden County Administrative Code, it is my obligation to seek assistance from my supervisor, director or Department Head.

Furthermore, I understand that this Ordinance may be amended at any time, and will be provided to departments upon approval by Fiscal Court as well as an annual list of amendments for review at the beginning of each fiscal year.

Employee Signature

Date

Employee Printed Name

Received by:

County Judge/Executive Signature

Date

Conflict of Interest Policy

Adopted February 20, 2020

**Crittenden County Fiscal Court / County Employee
Conflict of Interest Policy**

For Elected Officials, Appointees, and County Employees

No member of the Crittenden County Fiscal Court, other County Elected Official, Fiscal Court Appointee, or County Employee shall derive any personal profit or gain, directly or indirectly, because of his or her participation in the service to Crittenden County or other agency represented as a result of any Fiscal Court appointment.

Everyone shall disclose to the Crittenden County Fiscal Court any personal interest which he or she may have in any matter pending before the organization and shall refrain from participation in any decisions on such matter.

Name: _____

Title: _____

In addition to my services for Crittenden County Fiscal Court, office to which I have been duly elected, organization to which I have been duly appointed, or department for which I am an employee; at this time I am also a Board member or an employee of the following organizations:

- _____
- _____
- _____
- _____
- _____

This is to certify that I, except with regard to carrying out my duties as an elected official, appointee, or employee of the County of Crittenden or as described below, am not now nor at any time during the past year have been:

- 1.) A participant, directly or indirectly, in any arrangement, agreement, investment, or other activity with any vendor, supplier, or other party; doing business with the County of Crittenden which has resulted or could result in personal benefit to me.
- 2.) A recipient, directly or indirectly, of any salary payments or loans or gifts of any or any free services or discounts or other fees from or on behalf of any person or organization engaged in transaction with the County of Crittenden.

Any exceptions to 1 or 2 above are stated below with a full description of the transaction and of the interest, whether direct or indirect, which I have (or have had during the last year) in the persons or organizations having transactions with the County of Crittenden.

(additional space on reverse)

Signature

Date

For the purpose of availability, the Fiscal Court voted on March 19, 2020 to include the following document as part of the Administrative Code. The actual document can be found on record in the County Clerk office, County Ordinance Book 1, Page 123 – 129.

Ordinance 94-O-07

**AN ORDINANCE RELATING TO THE ESTABLISHMENT
OF A CODE OF ETHICS FOR COUNTY OFFICIALS AND EMPLOYEES
IN CRITTENDEN COUNTY, KENTUCKY.**

Be it ordained by the Fiscal Court of the County of Crittenden, Commonwealth of Kentucky:

WHEREAS, The Crittenden County Fiscal Court has the authority pursuant to KRS Chapter 65, to enact an ordinance establishing a code of ethics to guide the conduct of elected and appointed officers and employees of Crittenden County, including the County Judge/Executive, Magistrates, County Attorney, County Clerk, Jailer, Coroner, Surveyor, Constable and the Sheriff; and,

WHEREAS, public office and employment are a public trust and government has a duty both to provide their citizens with standards by which they may determine whether public duties are being faithfully performed, and to apprise their officers and employees of the behavior which is expected of them while conducting their public duties; and,

WHEREAS, it is the purpose of this ordinance to provide a method of assuring that standards of ethical conduct for county government officers and employees shall be clear, consistent, and uniform in their application, and to provide county officers and employees with advice and information concerning possible conflicts of interest which might arise in the conduct of their public duties.

I. DEFINITIONS

A. "Business associate" includes the following:

1. a private employer;
2. a general or limited partnership, or a general or limited partner within the partnership;
3. a corporation that is family-owned or in which all shares of stock are closely-held, and the shareholders, owners, and officers of such a corporation;
4. a corporation, business association, or other business entity in which the county government officer or employee serves as a compensated agent or representative.

B. "Business organization" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit;

Ordinance Reference

Ordinance 94-0-07

- C. "Candidate" any individual who seeks nomination or election to a county government office. An individual is a candidate when the individual:
 - 1. Files a notification and declaration for nomination for office with a county clerk or the Secretary of State; or
 - 2. Is nominated for office by a political party under KRS 118.105, 118.115, 118.325, or 118.760.
- D. "County government agency" means any board, commission, authority, nonstock corporation, or other entity formed by the county government or a combination of local governments.
- E. "County government employee" means any person, whether compensated or not, whether full-time or part-time, employed by or serving the county government or county government agency who is not a county government officer, but shall not mean any employees of a school district or school board.
- F. "County government officer" means any person, whether compensated or not, whether full-time or part-time, who is elected to any county government office; or any person who serves as a member of the governing body of any county government agency or special taxing or nontaxing district, but shall not mean any officer of a school district or school board.
- G. "Member of immediate family" means a spouse, an unemancipated child residing in an individual's household, or a person claimed by the individual or individual's spouse a dependent for tax purposes

II. STANDARDS OF CONDUCT

- A. No county government officer or employees of member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest.
- B. No county government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.
- C. No county government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgement.
- D. No county government officer or employee shall undertake any employment or service, compensated or not, which might reasonably be expected to prejudice his independence of judgement in the exercise of his official duties.
- E. No county government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office as government by the Kentucky Revised Statutes.

Ordinance Reference

Ordinance 94-0-07

- F. No county government officer or employee shall be prohibited from giving or receiving an award publicly presented in recognition of public service, commercially reasonable loans made in the ordinary course of the lender's business, or reasonable hosting, including travel and expense, entertainment, meals or refreshments furnished in connection with public events, appearance ceremonies or fact-finding trips related to official county government business.
- G. No county government officer shall be prohibited from accepting a gratuity for solemnizing a marriage.
- H. No county government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated except under the "rule of necessity";
- I. No county government officer or employee or business organization in which he has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he serves.
- J. No county government officer shall be deemed in conflict with these provisions if, by reason of his participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group.
- K. No elected county government officer shall be prohibited from making an inquiry for information or providing assistance on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his immediate family, whether directly or indirectly, in return therefore; and
- L. Nothing shall prohibit any county government officer or employee, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests.

III. FINANCIAL DISCLOSURE

- A. Any officer or employee, or any member of his immediate family, of the county government who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within any department or agency of the county government shall disclose such private interest to the fiscal court or the local ethic commission.
- B. Any county judge/executive, magistrate or commissioner, sheriff, jailer, coroner, constable, surveyor, county attorney, county clerk, or a member of his immediate family, who has a private interest in any matter pending before the fiscal court shall disclose such private interest on the records of the court and shall disqualify himself from participating in any decision or vote relating thereto.
- C. FINANCIAL DISCLOSURE FORM:
All elected county officials and candidates for county office shall file the attached financial disclosure form with the Crittenden County Ethics Commission on or before March 1st of

each year. Said financial disclosure statement shall include at a minimum, the information listed on the form, a copy of which is attached hereto as Exhibit A.

All financial disclosure statements shall be open records. Any individual or organization requesting to view financial disclosure statements shall complete a form giving full name, address, telephone number, and organization/individual represented if other than the individual making the request. One copy of this form shall become a part of the record.

Financial disclosure statements shall be filed with the Crittenden County Court Clerk.

- D. Failure to comply with this section of the code of ethics or knowingly signing a false financial disclosure statement shall carry a civil penalty of no more than \$500.

IV. NEPOTISM

- A. No county government officer or county government employee shall act in his/her official capacity to hire or cause to be hired any member of his/her immediate family at an hourly rate or with benefits in excess of any other employee with similar job duties, responsibilities and qualification requirements. The provisions of this section shall apply to any employees hired after adoption of this ordinance.

V. COUNTY ETHICS COMMISSION

- A. A Crittenden County Ethics Commission is hereby created which shall have powers to enforce all provisions of the Code of Ethics.
- B. The county ethics commission shall consist of three members. The members shall be appointed by the County Judge/Executive with the approval of the Fiscal Court. The members shall receive no compensation but may be reimbursed all necessary expenses. The terms of members shall be staggered but no longer than four years. Members shall not be a county elected official or an employee of a county elected official. Both political parties shall be represented on the board at all times.
- C. The county ethics commission shall have the following power:
1. To initiate, receive, hear, and review complaints and hold hearings regarding possible violations or the county ethics code;
 2. To issue subpoenas for the production of documents and the attendance of witnesses;
 3. To forward to appropriate agencies of state and local government information concerning violations which may be used in criminal or other proceedings;
 4. To render advisory opinions to county officers and employees regarding whether a given set of facts and circumstances constitutes a violation of any provisions of the county code of ethics;
 5. To enforce the provisions of the local code of ethics with regard to local government officers and employees and to impose penalties for violations as authorized; and
 6. To adopt rules and regulations necessary to implement the local ethics code.
- D. Decisions of the county ethics commission regarding violations shall be appealable to the circuit court within 30 days of the final action appealed from.

Ordinance Reference

Ordinance 94-0-07

The foregoing ordinance was approved on first reading upon motion by Esq. McConnel and seconded by Esq. Cook, on the 8th day of November, 1994.

The foregoing ordinance as amended was adopted upon motion by Esq. Tabor and seconded by Esq. Tabor, on the 13th day of December, 1994.

Ordinance signed by John C. May, Crittenden County Judge/Executive; Danny Byford, Crittenden County Court Clerk; Reviewed as to compliance with KRS 65.003 by Alan C Stout, Crittenden County Attorney.

Chapter 1: General Provisions

Section 1.1: Short Title

- A. This document shall be known and may be cited as the “Crittenden County Administrative Code”.

Chapter 1: General Provisions

Section 1.2: Definitions

- A. As used in this Code, unless the context otherwise requires.
- B. County Judge/Executive is the County Judge.
- C. County is Crittenden County, Kentucky, a governmental entity.
- D. Fiscal Court is the County body vested with the legislative powers of Crittenden County.
- E. Elected Official means elected county officials other than the County Judge.

Chapter 1: General Provisions

Section 1.3: Amendments

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

Chapter 2: General Administration

Section 2.1: County Judge / Executive

- A. The Crittenden County Judge 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 Crittenden County Judge, 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 or by officers who are under his 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) 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;
 - (5) 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;
 - (6) Exercise with the approval of the Fiscal Court the authority to appoint, supervise, suspend, and remove County personnel (unless otherwise provided by state law); and
 - (7) 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.

Chapter 2: General Administration

***Section 2.2: Procedures for Organization / Reorganization
of County Departments and Agencies***

- A. The County Judge 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 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. If not disapproved within sixty (60) days, the plan shall become effective. The plan shall be subject to public inspection at least 60 days prior to its effective date.
- D. The County Judge or the Fiscal Court may cause the records and accounts of any administrative agency to be examined at any time.

Chapter 2: General Administration

Section 2.3: Special Districts

- A. The County Judge 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.

Chapter 2: General Administration

***Section 2.4: County Representation on
Boards and Commissions***

- A. The County Judge 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 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 no later than thirty (30) days before the County Judge nominates a candidate for the vacancy.

Chapter 2: General Administration

Section 2.5: Appointed Positions

- A. The County Judge may appoint an assistant to assist with the execution of his administrative duties.
- B. The County Judge may appoint a Deputy County Judge/Executive from the existing members of the current Fiscal Court.
- C. The County Judge may appoint, subject to the approval of the Fiscal Court, a budget officer to assist with the County fiscal affairs.
- D. The County Judge may appoint, subject to the approval of the Fiscal Court, other personnel to assist with the County administrative and fiscal duties.
- E. A member of the Fiscal Court may be appointed by a majority of the Fiscal Court to temporarily assume the duties of the County Judge, where both the County Judge and the Deputy County Judge/Executive, if a Deputy County Judge/Executive has been appointed, are absent from the County during an Emergency, or where both are incapacitated due to sickness, injury, or mental incompetence.

Chapter 2: General Administration

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

- A. The County Judge shall inform the Fiscal Court of any open position on County Boards or Commissions, or in designated administrative positions.
- B. The County Judge 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 shall submit an additional appointment(s) for each position.
- D. The appointment shall be filed and entered into by index into the Crittenden County Executive Order Book which shall be maintained in the Office of the County Judge Executive.
- E. The Crittenden 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 an incompatible position.

Chapter 2: General Administration

Section 2.7: Procedures for Administrative Agencies

- A. Each Crittenden County Administrative Agency (An administrative agency is defined as a district or other entity created by the Crittenden County Fiscal Court which the County helps fund.) 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 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. This does not excuse any agency from meeting required filings to the Department of Local Government-Special Purpose Governmental Agency each year if applicable.
 - (3) Each administrative agency requesting Crittenden County budget funds shall submit a detailed annual budget request to the County Judge by March 1st of each year.
 - (4) Each administrative agency of Crittenden 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. The County Judge shall annually set the dates and times for all regular Fiscal Court meetings via Executive Order. The Executive Order shall be issued no later than January 1st of each year, except in the first year of the term of office, when the Executive Order shall be entered no later than one week from the date the term begins.
- B. All meetings of members of Fiscal Court at which any public business is discussed or any action taken shall be open to the public in accordance with the Kentucky Open Meetings Act (KRS Chp. 61).
- C. The County Judge may call a Special Meeting of the Fiscal Court for the purpose of transacting any business over which the Fiscal Court has jurisdiction.
- D. Whenever the County Judge is unable, or refuses to call a Special Meeting, a majority of the Fiscal Court may call a Special Meeting.

NOTE:

The County Judge must refuse a request to call a Special Meeting, with the request made by a Fiscal Court member, prior to the majority of the Fiscal Court being able to call a Special Meeting.

- E. Special meetings shall be called and conducted in accordance with the Kentucky Open Meetings Act (KRS Chp. 61).
- F. Regular meetings of the Crittenden County Fiscal Court may be altered in time, date, or both as deemed necessary by the majority vote of the Fiscal Court at least four (4) weeks prior to the date of the next regularly scheduled meeting of the Fiscal Court. *(Item F amended by majority vote in favor at the October 20, 2016 Fiscal Court meeting)*

Chapter 3: Operation of Fiscal Court

Section 3.2: Presiding Officer

- A. The County Judge shall be the presiding officer of the Fiscal Court at all regular and special meetings.
- B. If the County Judge is not present or able to preside, a majority of the magistrates shall elect one of their members to preside unless there has been a Deputy Judge Executive or Judge Pro-Tem previously appointed and approved by the Fiscal Court members who would then preside.

Chapter 3: Operation of Fiscal Court

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.

Chapter 3: Operation of Fiscal Court

Section 3.4: Disturbing 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.

Chapter 3: Operation of Fiscal Court

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 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.
- 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.

Chapter 3: Operation of Fiscal Court

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.
- 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 Chp. 61).

Chapter 3: Operation of Fiscal Court

Section 3.7: Ordinances, Orders, and Resolutions

- 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.
- 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 Crittenden Commonwealth of Kentucky;"
- D. County ordinances shall be amended by ordinance and only by setting out in full each amended section;
- E. 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.
- F. No County ordinance shall be passed until it has been published pursuant to KRS Chapter 424. Prior to passage, ordinances may be published by summary. 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. 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.
- G. 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.
- H. An order or resolution may be utilized for action by the Fiscal Court where the action is specific in nature, not for an uncertain time period, and which is enforceable within county boundaries.

Chapter 4: Financial Management

Section 4.1: Budget Preparation Procedures

- A. By March 1st of each fiscal year, the County Judge shall obtain budget proposals prepared by each County office or agency receiving funds from the Fiscal Court, including the Jailer.

NOTE:

The County Clerk and Sheriff operate on a January 1-December 31 fiscal year with a mandatory budget approval date of January 15. Therefore, the County will already have the County Clerk's and Sheriff's budget.

- B. The County Judge shall prepare a report of anticipated revenue from general fund taxes and intergovernmental transfers from city, state, and federal government.
- C. The County Judge shall review the expenditures in each classification of each fund for the preceding year and for the current year.
- D. The County Judge may obtain from the Crittenden County Treasurer receipts for actual expenditures made during the current fiscal year.
- E. An estimate shall be made of expenditures for the remainder of the current year and of any surplus, by fund, which will remain.
- F. The County Judge shall obtain from the sheriff an annual settlement showing County taxes collected, not later than October 1 of the current year and by March 1 of each year of the Crittenden County Property Assessment levels from the Crittenden County Property Valuation Administrator.
- G. The County Judge shall submit the completed proposed budget to the Fiscal Court not later than May 1 of each fiscal year.

Chapter 4: Financial Management

Section 4.2: Duties and Procedures of the Budget Committee

- A. The Budget Committee shall consist of the County Judge, the County Attorney, the County Treasurer and two (2) members of the Fiscal Court.
- B. The Budget Committee shall review in detail the proposed budget that the County Judge has prepared and submitted to the Fiscal Court.
- C. The Budget 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 May 21 of each year.
- E. Immediately upon approving a proposed budget for the County, the Budget Committee shall forward a copy of the proposed budget to the Fiscal Court. The Crittenden County Fiscal Court shall make comments, amendments, and tentatively adopt the proposed budget prior to the County Judge submitting the budget to the Kentucky State Local Finance Officer.
- F. Following action by the Fiscal Court, but not later than June 10, the budget shall be submitted to the Kentucky State Local Finance Officer for approval as to form and classification.
- G. The Crittenden County budget approved by the State Local Finance Officer shall be submitted to Fiscal Court for adoption in the form of an ordinance not later than July 1.
- H. The County Judge shall cause a copy of the proposed budget to be posted in a conspicuous place in the courthouse near the front door not less than seven (7) days before final adoption.
 - (1) A summary of the County budget shall be published in accordance with KRS Chp. 424 before final adoption by Fiscal Court.
 - (2) A summary of the County budget shall be published in accordance with KRS Chp. 424 within 30 days after adoption by Fiscal Court.
 - (3) The County Judge shall maintain a copy of the budget as adopted, together with any amendments adopted thereafter, for public inspection.

Chapter 4: Financial Management

Section 4.3: County Budget Hearing Procedures and Requirements

A. County Road Aid Fund (CRA):

- (1) Notice of the proposed use hearing on the CRA fund shall be published not less than seven (7) days in advance of the scheduled hearing.
- (2) The County Judge 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 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 on the entire County budget to show the relationship of 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 ten (10) 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 as public record.

Chapter 4: Financial Management

Section 4.4: County Procedures for County Treasurer

- A. The Treasurer shall receive and deposit all funds due the County.
- B. County funds shall be paid out only on order of Fiscal Court.
- C. No expenditures may be made in excess of revenues or for purposes other than appropriated.
- D. No appropriations may be made which exceed adopted budget amounts.
- E. The Treasurer shall keep an Appropriation Expenditure Ledger. The ledger shall be a record of each budget appropriation, all expenditures from the appropriation and each budget fund.
- F. The Treasurer shall maintain a general ledger in which all transactions are entered, either in detail or in summary. Each fund (General Fund, Road Fund, Local Government Economic Aid, etc.) shall have a complete balancing set of general ledger accounts. Control accounts shall be established for the Cash Receipts Register and the Appropriation Expenditure Ledger.
- G. The Treasurer shall maintain a Cash Receipt Register containing columns for total cash received, source of revenue and miscellaneous revenue for each fund
- H. The Treasurer and Finance Officer shall maintain an Appropriation Expenditure Ledger. This ledger is a group of accounts supporting in detail the appropriation and expenditure accounts of the General Ledger. An account must be provided for each appropriation made in the budget. The original appropriation and all amendments and transfers authorized by order of the Fiscal Court shall be entered. All expenditures shall be charged to an appropriation account.
- I. The Treasurer and Finance Officer shall maintain a record of all warrants paid (except payroll) in chronological order in a Warrant Distribution Register. Columns shall provide for date, payee, warrant number, appropriation expenditure account number and amount. Separate columns shall provide for each fund so that one register serves all funds.
- J. The Treasurer or Finance Officer shall maintain a Payroll Authorization Book, designed to facilitate convenient preparation and certification of the payroll. One order of the Fiscal Court may be made to authorize payment for all employees for more than one payroll period.

NOTE:

While the Finance Officer may maintain the Payroll Authorization Book, the Finance Officer is not authorized to execute checks.

- K. The Treasurer or Finance Officer shall maintain an Individual Earnings Record for each employee, including gross earnings, deductions and net pay at the time computed.
- L. The Treasurer shall maintain a Notes Payable Register which provides information on notes for temporary loans in anticipation of the current year's revenue, indicating the principal amount, interest rate, due date, fund and other necessary details.
- M. The Treasurer shall maintain a Bond Register which records the history and authorization of each bond issue, whether general obligation bonds, revenue bonds or special levy bonds. A separate sheet shall be prepared for each issue.

Chapter 4: Financial Management

Section 4.5: Account Balance – Expenditures - Records

- A. At the beginning of each fiscal year, the total amount of the appropriation represents the free balance, or unused appropriation amount, for each account.
- B. As expenditures are made during the year, the amount of the expenditure is subtracted from the free balance to keep an accurate record of the exact amount of the unused appropriation at any time.
- C. When any item is ordered, the free balance is encumbered in that amount, although it may be considerable time before the actual expenditure occurs.
- D. The County Judge shall write and sign all warrants directing the Treasurer to make payments authorized by Fiscal Court. The County Judge shall maintain a record of all warrants.
- E. At the close of each fiscal year the County Judge will be responsible for the preparation of records necessitated by the annual County audit and audit of the County Judge's office. The annual audits of the books, accounts, and papers of the County and the County Judge shall be conducted by the State Auditor of Public Accounts or a Certified Public Accountant.

Chapter 4: Financial Management

Section 4.6: Claims against Crittenden County

- A. The County Judge 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.
- 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 Crittenden County funds shall not honor any warrant on the County unless it is signed by both the County Judge and the County Treasurer. In the absence of the County Judge, the Deputy County Judge may sign.
- G. 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.

Chapter 5: Personnel Administration

Equal Opportunity Employer Statement

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, sexual orientation, gender identity, genetic information or ancestry, or because the individual is a smoker or nonsmoker, as long as the person complies with any workplace policy concerning smoking.

Should you have any questions regarding this matter, please contact your Supervisor or the County Judge.

Chapter 5: Personnel Administration

Section 5.1: Job Classification

- A. The County Judge will be responsible for the preparation of a descriptive job classification plan for all non elected positions.
- B. Each job classification shall be in writing and include:
 - (1) A concise, descriptive title;
 - (2) Description of the duties and responsibilities of each position in each classification;
and
 - (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.

Chapter 5: Personnel Administration

Section 5.2: 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 (Chp. 5). 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.

- 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 two (2) years. 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.

NOTE:

Counties should review the Kentucky Department for Libraries & Archives Records Retention Schedule periodically. For applications, where the applicant becomes a county employee, the application, plus certain other employment records must be kept on file for sixty (60) years.

- B. An applicant may be required to interview with the position's immediate supervisor prior to being hired.
- C. The County Judge 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.
- E. All part-time and temporary employees, funded through state or federal programs, shall be recruited and selected in accordance with the appropriate program guidelines.

Chapter 5: Personnel Administration

Section 5.4: Supervision

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

- A. The County Judge shall discipline County employees by written reprimand, suspension or discharge. All disciplinary actions shall be reviewed by the Personnel Committee.

NOTE:

A Personnel Committee cannot overturn the County Judge Executive's decision. In effect, the county is simply creating additional evidence that could be utilized against the county in a subsequent legal action.

- A. Where used within these personnel rules, the following works and terms shall have the meaning indicated below:
- (1) Allocation: The assignment of an individual position to specific class of work based on the kind, difficulty, skill and responsibility of the work performed.
 - (2) 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.
 - (3) Appointment: The act of appointing authority by which a position is filled.
 - (4) County Employees: Those employees supervised by the County Judge and the Treasurer.
 - (5) Demotion: Changing one employee from one class of work to a different class of at a lower pay grade.
 - (6) Elected Official: Any elected official holding one of the county constitutional offices other than the County Judge.
 - (7) Performance Rating: An appraisal or evaluation of an employee's work performance.
 - (8) Position: An individual job within the County's personnel system.
 - (9) Position Description: A detailed written description of the specified duties assigned to and performed by a particular employee.
 - (10) Probationary Period: A working test established as six full calendar months from the date of hire, 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. The probationary period does not apply to transfers from another department. At any time during the probationary period an employee may be asked to leave if it is determined that he or she is not progressing as planned or needed or if the employee decides the position is not meeting their expectations they may chose to leave without recourse. 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 full benefits of employment as a Crittenden County employee. Health insurance benefits begin on the first ~~pay period after the 60th day of employment per federal insurance regulations.~~ **day of the month following 30 days of employment as allowed by federal insurance regulations. This will apply to all Elected Officials, County Employees, or Appointed Employees.**
 - (11) Termination: The separation of an employee from the County personnel system by resignation, retirement, layoff, dismissal or death.
 - (12) Dismissal: The termination of an employee.
 - (13) Layoffs: The involuntary separation of an employee from his position and class due to a reduction in work force.
 - (14) Resignation: The voluntary termination of employment by an employee.
 - (15) Retirement: The termination of employment and transfer to retired status of an employee

Chapter 5: Personnel Administration

Section 5.7: Classification of Employees

- A. All employees of the County workforce shall be classified as full time, part-time seasonal or temporary.
- (1) Full Time Employee: An employee who works 40 hours per week on a regular scheduled basis.
 - (2) Part Time Employee: An employee who works less than 40 hours per week. NOTE: An employee must work 30 hours or more per week to be considered for Health Insurance benefits per Federal guidelines.
 - (3) Seasonal Employee: Temporary positions which coincide in duration with a particular season or seasons of the year and that may recur regularly from year to year, in which case the period of time shall not exceed six (6) months in any event.
 - (4) Temporary Employee: are positions of employment with a participating agency for a period of time not to exceed twelve (12) months and not renewable (full or part-time). **NOTE: Employees receive CERS benefits when averaging 100 hours per month over a one (1) year period. The period is either a fiscal or calendar year, and is calculated by both methods with the employee qualifying by either method.**

Chapter 5: Personnel Administration

Section 5.8: Hours of Work

Amended June 30, 2020

Amended June 17, 2021 (through Clerk P & P approval)

Amended June 30, 2023

- A. **County Fiscal Court offices** shall be open during the following hours: Monday – Friday 8:00 – 4:30 CST.
Sheriff's office shall be open 8:00 am – 4:00 pm, Monday - Friday
County Clerk's office shall be open 8:00 am – 4:30 pm, Monday - Friday
Detention Center's office shall be open 8:00 – 4:00 CST Monday – Friday.
Road Department's office shall be open 6:30 – 3:00 CST Monday – Friday.
County Attorney's office shall be open 8:00 – 4:00 CST Monday – Friday.
- B. An employee's work hours shall be assigned by the Department Head or Direct Supervisor.
- C. Overtime work shall be approved in advance by the County Judge or the supervisor. In exceptional circumstances, as determined by the County Judge, the County Judge may approve overtime work after the overtime work has occurred. Failure to abide by this overtime policy may result in disciplinary action to the employee.

Chapter 5: Personnel Administration

Section 5.9: Personnel Records

- A. Beginning the first day of employment, all new employees shall report to the County Treasurer's office unless otherwise designated by the County Judge to supply any information needed to complete personnel records, execute payroll withholding authorization and enroll in the employee benefit program.

Chapter 5: Personnel Administration

Section 5.10: Employee Records

- A. It shall be the obligation of the employee to maintain current information by notifying the Treasurer or Finance Officer of all changes in personal or family status, home address, telephone number, or any other changes which would affect payroll withholding or employee benefits. The County is not responsible for maintaining information not provided or updated.

Chapter 5: Personnel Administration

Section 5.11: Personal Conduct

- A. Images presented and statements made by all employees of the County can affect the entire organization; therefore, employees are expected to be courteous and appropriately dressed at all times.

Chapter 5: Personnel Administration

Section 5.12: Safety

- A. The health and safety of all County employees is of major importance. All employees shall report all hazardous conditions in their work area at once to their immediate supervisor. The supervisor shall document in writing the hazardous condition. All injuries should be reported immediately to the supervisor and within 24 hours to the County Judge's office. This information shall be submitted on the appropriate Accident Report Form No. 1616. See attachment.

- A. If it should come to the attention of the County Judge that an employee was hired on the basis of false credentials, said employee will be subject to immediate demotion or dismissal. All employees shall be a high school graduate or GED recipient, unless otherwise approved by the Fiscal Court.

Chapter 5: Personnel Administration

Section 5.14: Selection and Appointment

- A. Each applicant shall fill out and sign a written job application and each application shall be kept for at least two (2) years.
- B. The County Judge shall select job candidates to be submitted to Fiscal Court for approval. Fiscal Court shall approve all salaries or appropriate salary schedules.
- C. All employees whose positions are funded through state or federal programs shall be recruited and selected in accordance with the appropriate program guidelines.

Chapter 5: Personnel Administration

Section 5.15: Methods of Filling Vacancies

- A. If it is determined by the County Judge that no current County employee meets the education, experience and skill requirements set forth in the classification description, the positions shall be filled through applications on file. If no applicant on file meets the requirements, open public recruitment will be used to fill the position.

Chapter 5: Personnel Administration

Section 5.16: Recruitment, Evaluation, and Certification

A. The County Judge shall be responsible for:

- (1) Accepting complete application forms from the applicants.
- (2) Conducting interviews, reference checks, and evaluating training, experience and credentials. All applicants shall submit to a pre-employment drug screening prior to consideration for employment.

Chapter 5: Personnel Administration

Section 5.17: Announcements of Vacancies

- A. Notice of employment opportunity and necessary examinations, if any, may be publicized at the County Judge's discretion.
- B. Such notices shall:
 - (1) List the vacant position(s).
 - (2) Specify for each position its position title, nature of work to be performed, and qualifications for employment in the position.
 - (3) Tell when and where to file applications for employment in the position.

Chapter 5: Personnel Administration

Section 5.18: Application Form

- A. All applicants shall utilize the Crittenden County Application form. The applicant shall provide:
 - (1) Information about the applicant's training, experience and character.
 - (2) Whatever additional information the County Judge deems pertinent to an evaluation of the applicant's fitness for the position for which he applies.
- B. The County Judge shall review each application to ascertain the applicant's qualifications for the position.

- A. The qualifications of an applicant for a position shall be ascertained on the basis of one or more of the following:
- (1) Job related performance (internal candidates);
 - (2) Information provide on the Application;
 - (3) Interview(s);
 - (4) References; and
 - (5) Other appropriate means.
- B. Where a declaration of emergency has been declared in accordance with KRS Chp. 39B, the County Judge may hire employees on a temporary basis for emergency purposes without Fiscal Court approval. No employee may start work prior to Fiscal Court approval being granted, except in accordance with KRS 39B.

- A. Any full time employee may request a transfer from one position to another position provided that position is vacant and one for which the employee possesses the qualifications.

- A. An employee may be promoted from one position to another if the employee has the qualifications for the higher position. These qualifications shall be ascertained on the basis of job related information, interview, and evaluations of performance, training and experience. The same procedures as those authorized for ascertaining his qualifications for initial appointment to a position shall be followed.
- B. In the filling of a vacancy in a position above the entrance level, preference may be given to promotion of present employees. If the County Judge deems it in the best interest, the County Judge may fill the position by appointment of a person from outside the current workforce.

- A. The standard work week for County employees shall be forty (40) hours per week, unless otherwise prescribed by the Fiscal Court. Specific departmental work schedules shall be prescribed by department heads, with the approval of the County Judge. Work schedules for seasonal, temporary and part-time employees shall be specified by the County Judge according to the needs of the County and the rules and schedule stipulated for regular employees.
- B. Employees shall be at their places of work in accordance with prescribed schedules. The supervisor shall maintain daily attendance records of employees under the supervisor's direction.
- C. Employees shall not be allowed to take time off work without first meeting the following criteria: the employees must have accrued vacation time from which to request days off for said vacation and that vacation time shall be pre-approved by the County Judge or the department head or supervisor; the employees must have accrued sick time from which to request sick days and any sick days over 3 must be accompanied by a Doctors excuse. Leave without pay will not be tolerated and may result in termination. Only during emergencies; provided in writing by the employee, may the Judge Executive approve any employee for leave without pay.
- D. Two (2) days of unexcused/unscheduled absence from work will result in a written reprimand to be documented by the department head or supervisor and will be inserted in the employees permanent record. Three (3) to five (5) days of unexcused/unscheduled absence from work will result in a written reprimand to be signed by the employee and the department head or supervisor and will be put in the employees permanent record and will include three (3) days off without pay. Should an employee miss greater than five (5) days work unexcused/unscheduled the employee will be terminated.

A. The Fiscal Court shall adopt the following holiday schedule:

- (1) New Years Eve and New Years Day
- (2) Martin Luther King, Jr. Day
- (3) Good Friday
- (4) Memorial Day
- (5) Independence Day
- (6) Labor Day
- (7) Veteran's Day
- (8) Thanksgiving Day plus the following day
- (9) Christmas Eve and Christmas Day

B. ~~Each Elected Official~~ The following departments: Fiscal Court, Road Department, Animal Shelter, Convenience Center, Sheriff Office, County Clerk Office, and Detention Center (non-essential), shall follow the same holiday schedule for its employees as adopted by the Fiscal Court.

C. Employees that are required to work on any holiday will receive a vacation day that may be utilized in accordance with Section 5.24. An employee in the employee's first year of service may utilize the vacation day prior to achieving one year of service. All vacation days earned under this Subsection must be utilized within one (1) month of the holiday, unless the supervisor authorizes an extension of the time in which the vacation day may be utilized. In no circumstance may the time allowed for the vacation day extend beyond three (3) months from the date the vacation day was earned.

D. All full-time status employees are eligible for holiday pay for adopted holidays. A regularly scheduled part-time or temporary employee is eligible for holiday pay if the holiday falls on the employees normally scheduled day of work. If the holiday falls on a regularly scheduled day off they will not receive holiday pay.

E. When a holiday falls on a Monday or a Friday the Animal Shelter and the Convenience Center shall be closed the Saturday preceding or following that applicable Holiday. Full time employees shall receive holiday pay for the half day closure (4hours) and, regularly scheduled part-time employees shall receive holiday pay for the half day closure (4 hours) if scheduled to work that day as described in subsection (D) above.

- A. Full-time employees may apply for vacation leave after one year of service.
- B. All regular full-time employees with one (1) to five (5) years of service shall be entitled to five (5) working days' vacation leave. All regular full-time employees with six (6) to ten (10) years of service shall be entitled to ten (10) working days' vacation leave. All regular full-time employees with eleven (11) to twenty (20) years of service shall be entitled to fifteen (15) working days' vacation leave. All regular full-time employees with twenty-one (21) years or more service shall be entitled to twenty (20) working days' vacation leave. Accumulated vacation leave must be taken within 365 days of employment anniversary date. After the employment anniversary date, the employee will lose the time accumulated unless otherwise authorized by the supervisor based on extraordinary circumstances. The employee must notify their supervisor in advance and receive approval before taking their vacation time.
- C. Part-time, Seasonal and Temporary employees shall not be eligible to earn vacation leave.
- D. No employee shall be permitted to take vacation leave that has not been earned. Vacation pay shall be at the current rate of salary.
- E. Vacation days should be scheduled on anticipated "slack" time in a manner that does not interfere with the functions and services of the office. The supervisor shall review all vacation leave requests and shall forward the request and the supervisor's recommendation to the County Judge. Approval by the County Judge is mandatory.
- F. The County Judge's office or its designee shall keep records of vacation leave for each individual employee.
- G. Absences on account of sickness, injury, or disability in excess of that authorized for such purposes may, at the request of the employee and with the approval of the County Judge, be charged to vacation leave credit.

Chapter 5: Personnel Administration

Section 5.25: Sick Leave

Amended June 20, 2019

A. Accumulation of Sick Leave:

- (1) Sick leave is a benefit, not a right. Paid sick leave entitles employees to time off to recuperate from illness or accident, while retaining their employment rights and pay for the time off. Its main purpose is to provide income for employees absent a relatively short time because of personal illness or injury.
- (2) Full-time employees shall be eligible to accrue sick leave at the rate of one day per month accruing on the first of each month. Part-time, Seasonal and Temporary employees are not eligible for sick leave.
- (3) Employees shall not be credited with sick leave during their probationary period. Upon completion of their probationary period, the employee shall be credited with seven (7) sick leave days. As an example, an employee hired on January 15 and completing their probationary period on July 15, shall not be credited with sick leave during the month of January, February, March, April, May, June, or July. The employee will be credited with seven (7) sick leave days on August 1.
- (4) Sick leave may be accumulated up to sixty (60) days.

B. Use of Sick Leave:

- (1) Personal illness, injury, or visits to medical provider.
- (2) Illness or injury in the immediate family (spouse, children, parents, or relatives living in the employee's home).

C. A County official may allow three (3) consecutive days of sick leave without a medical provider's excuse, but any days over a three (3) day period must be accompanied by a medical provider's 'Return-to-Work' note unless otherwise authorized by the Department Head.

~~D. Upon retirement, an employee may transfer accumulated sick leave, up to sixty (60) days, to the County for retirement credit only. Upon said election, the County shall purchase retirement service credit in an amount equal to the unused sick leave of said employee.~~

NOTE:

~~Once the County has adopted a sick leave conversion to retirement policy, there is no opt out provision. The policy is universal to all employees unless the constitutional officer has their own account with retirement.~~

D. Reporting Sick Leave:

- (1) To be paid sick leave, the employee has the responsibility to report their inability to be on the job. Failure to notify the supervisor prior to the established work time may result in loss of pay for that day and may result in disciplinary action against the employee. If notification is not possible prior to the start of the established work time, the employee shall notify the supervisor as soon as is possible.
- (2) Sick leave time used will be subtracted on a hour for hour basis.
- (3) Upon return to work the employee shall file a Notice of Leave form stating the reasons for the absence, unless the employee filed the form prior to taking sick leave. The form must be approved by the supervisor before being charged to sick leave. Individual records of all sick leave credit shall be maintained by the County.
- (4) Crittenden County may require the employee to submit a 'Return to Work' note from a medical provider when the absence occurs before or after a holiday or other

scheduled day off or when an employee has a record of repetitious usage of short amounts of sick leave over an extended time period. The employee may be required to take a medical examination on returning from sick leave or on such occasions that it is in the best interest of the County. The medical examination shall be given by a physician designated by the County.

- (5) False or fraudulent use of sick leave shall be cause for disciplinary action, up to, and including, dismissal.

E. Sick Leave Donation Program

- (1) An employee who has accrued a sick leave balance of more than Ten (10) days may request that the county make available for transfer a specified amount of his/her sick leave balance to another named county employee. The employee may not request a transfer of an amount of sick leave that would result in reducing his/her sick leave balance to less than Five (5) days.
- (2) To receive sick leave transfers, the employee must meet the following criteria:
 - i. Exhaust all accumulated sick leave;
 - ii. Complied with all policies to date with respect to attendance and the uses of sick leave;
 - iii. Obtain written permission from co-worker(s) to have a specified number of hours transferred to the requesting employee; and
 - iv. Submit a written request to the County Judge for transferred sick leave.

Chapter 5: Personnel Administration

Section 5.26: Family and Medical Leave Act (FMLA)

- A. FMLA provides entitlement for up to 12 weeks of job protected, unpaid leave, during any twelve month period for the following reasons:
- (1) The birth of a son/daughter or care for newborn child;
 - (2) The placement of a son/daughter for adoption or foster care;
 - (3) Care for the employee's spouse, son/daughter, or parent with a serious health condition;
 - (4) The employee's own serious health condition.
- B. Qualifying Exigency Leave. The FMLA requires that employers provide employees up to 12 weeks of leave in a 12-month period to tend to any "exigency" resulting from a service member's call to duty. The new FMLA regulations clarify that exigency leave may be taken by eligible employees (consisting of not only a spouse, son, daughter, or parent, but also "next of kin" — the next nearest blood relative) while their spouse, son, daughter, or parent is on active duty or call to active duty status in the National Guard or Reserves, or if the family member is a retired member of the Regular Armed Forces or the Reserves. An employee whose family member is on active duty or call to active duty for the Regular Armed Forces does not qualify for this leave. Qualifying exigencies include short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities.
- C. Military Caregiver Leave. An eligible employee is entitled to 26 work weeks of leave in a 12-month period to care for a covered service member in the Armed Forces (including the National Guard and Reserves) who becomes ill or injured as a result of his or her military service. The 12-month period begins when the employee starts using her or his leave. This leave may only be taken once per injury, but may be taken again if there are additional injuries. More than one family member may qualify for the leave.
- D. If the employee was qualified for health insurance benefits when leave begins, the employer shall maintain health benefits for the employee in the same manner during periods of FMLA leave as if the employee continued to work.
- E. However, the employee must exhaust all accumulated sick leave and annual leave time prior to receiving unpaid FMLA leave.
- OPTION: Worker's Compensation shall be designated as FMLA leave as long as the injury also qualifies as an FMLA qualifying event. If the injury qualifies as FMLA leave, then FMLA runs concurrently with the Worker's Compensation Leave.**
- F. Upon employee being granted FMLA leave, the employee must continue to pay his/her own employee contribution to the health insurance plan ordinarily required of an employee. The employer will continue to pay the contribution ordinarily paid by the employer under the current health insurance plan. If the employee contribution payment is not paid by the employee, in such event, the employer may terminate the health insurance benefits of the employee during FMLA leave. However, the employee may exercise their rights for COBRA benefits.
- G. In order to qualify for FMLA benefits, the employee must have worked for the employer for at least 12 months prior to the commencement of benefits and worked at least 1,250 hours in the prior year. The 12 month period need not be consecutive. Employment prior to a

Chapter 5: Personnel Administration

Section 5.26: Family and Medical Leave Act (FMLA)

break in service of more than 7 years need not be counted unless the break in service was occasioned by the fulfillment of National Guard or Reserve Military Service Obligations.

- H. Upon the employer granting FMLA leave, the employee receives an entitlement of up to 12 weeks of job protected unpaid leave during any 12 month period. The fixed 12 month “leave year” shall commence January 1 of each year and conclude on December 31 of each year.
- I. When the need for leave is foreseeable, the employee must give the employer at least 30 days written notice of his/her intent to receive FMLA leave benefits. If the leave is not foreseeable, the employee must provide written notice as soon as possible. The employer reserves the right to require medical certification of a serious health condition for the employee’s health or a member of his/her family as defined herein. The employer may also require periodic written medical reports during the leave of the employee’s health status, health status of his/her family as defined herein, as well as “fitness-for-duty” certification upon return to work from a health care provider.
- J. “Serious health condition” means an illness, impairment, injury, or physical/mental condition that involves either:
 - (1) any period of incapacity or treatment connected with inpatient care in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or
 - (2) continuing treatment by a health care provider which includes any period of incapacity that prevents the employee or family member from working, attending school, or any other regular daily activity.
- K. Any employee desiring to benefit from “donated sick leave” must be granted same and utilize same prior to applying for leave without pay under FMLA. Upon FMLA leave being granted to the employee, the employee may not participate in the donated sick leave plan until the employee has returned to work on a regular paid basis with a letter from a health care provider stating that the employee is fit for duty.
- L. Upon the employer granting leave without pay under FMLA, as provided for herein, the County Judge or Elected Official shall authorize same in writing and provide the employee and the county treasurer a copy of the written approval. All applications for leave without pay and all approvals of same, not in writing, shall disqualify the employee from health benefits otherwise provided herein.

- A. All full time employees may receive bereavement leave in the event of a death in the immediate family. Immediate family for this purpose shall be deemed to include the parents (blood or step), spouse, children (blood, step, or adopted), brothers and sisters (blood or step), grandparents, mother or father in-laws, sister or brother in-laws, daughter or son in-laws, and grandchildren by blood. Leave may be limited to the day of the death until the day after the burial.
- B. Leave due to death of other relatives may be limited to the day of burial only.
- C. Bereavement leave must be approved by the County Judge or Elected Official and is not charged against any leave accumulated. Leave is granted only for the actual time needed.
- D. An employee who is unable to work because of death in the immediate family should notify the employee's supervisor by telephone or email prior to the scheduled time to report for duty.

- A. The County Judge or Elected Official may grant maternity leave for full-time permanent employees with temporary disability due to pregnancy, childbirth, adoption, or any impairment thereof, and miscarriage for a period not to exceed six (6) weeks. Additional leave time may be granted not to exceed a total of four (4) months.
- B. An employee granted maternity leave shall use any accrued sick leave and vacation time with the remaining periods as time off without pay.
- C. The employee must notify the County Judge or Elected Official as far as possible in advance of the employee's intention to request Maternity Leave, including approximate dates, in order to allow the County Judge or Elected Official time to prepare for any staff adjustments.

- A. Pursuant to KRS 61.394 and 61.396, all employees of this county, or of any department or 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 of 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 two (2) years after it has accrued.
- B. The employee shall give the County two (2) weeks notice prior to the scheduled leave if time permits.

A. Jury Duty:

- (1) Upon receipt of the order requiring the employee to report for jury duty, the employee **must show the order to their supervisor**. There will be no deduction from accumulated leave.
- (2) The employee will be allowed to keep pay received for serving on a jury without deduction from full regular salary.
- (3) A Crittenden County employee serving on Jury Duty shall be compensated at their regular salary for each day served. Days of Jury Duty served shall not be calculated toward overtime or compensatory time.

- A. Upon receipt of the order requiring the employee to make a court appearance, the employee shall make arrangements with the employee's supervisor to comply with the order.
- B. If appearing in an official capacity in connection with Crittenden County, the employee's court time is considered working time and no charge is made against leave time.
- C. If the employee is involved in a personal case, either as plaintiff, defendant or as a witness in a suit not resulting from his duties with the County, he may be granted leave, but the time off he takes must be charged to his accrued vacation time, to leave of absence without pay, compensatory time if available, or the employee may be allowed to work alternative hours if approved by the supervisor and County Judge, and if the alternative hours are within the same week as the needed leave.

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Section 5.32: Overtime / Compensation Time

Amended June 20, 2019

Amended November 14, 2022

- A. Crittenden County's work week begins Monday and concludes on Sunday.
- B. A County employee who is authorized to work one (1) or more hours in excess of the prescribed hours per week may be granted compensatory leave on an hour-for-hour basis. Upon the written request by a County employee, made freely and without coercion, pressure, or suggestion by the employer, and upon a written agreement reached between the employer and the County employee before the performance of the work, a County employee who is not exempt from the provisions of the Federal Fair Labor Standards Act, 29 U.S.C. et seq., may be granted compensatory time in lieu of overtime pay, at the rate of not less than one and one-half (1-1/2) hours for each hour the County employee is authorized to work in excess of forty (40) hours in a work week.
- C. A County employee engaged in work in excess of forty (40) hours, may accrue not more than forty (40) hours of compensatory time. A County employee who has accrued forty (40) hours of compensatory time off, shall for additional overtime hours of work, be paid overtime compensation. Pursuant to KRS 337.285 (5)a1 an employee who serves in the capacity of public safety may accumulate a maximum of four hundred and eighty (480) hours.
- D. A County employee who has accrued compensatory time off, and who has requested the use of compensatory time, shall be permitted to use the compensatory time within a one (1) year period after making the request if the use of the compensatory time does not unduly disrupt the operations of the County. Mere inconvenience to the County shall not constitute a sufficient basis for denial of a County employee's request for compensatory time off.
- E. If compensation is paid to a County employee for accrued compensatory time off, the compensation shall be paid at the regular rate earned by the County employee at the time the County employee receives the payment.
- F. Upon a County employee's termination of employment, all unused/accrued compensatory time shall be paid at a rate of compensation not less than the average regular rate received by the County employee during the last three (3) years of the County employee's employment **or the final regular rate received by the County, whichever is higher.**

- A. Anyone driving a County vehicle will be responsible for that vehicle in case of an accident. A breathalyzer test, urinalysis, or other testing, or any combination of the three (3), will be required, with refusal resulting in automatic dismissal of the County employee. Anyone driving a County vehicle must maintain a valid operator's license. Any accident, traffic citation, or driving arrest of an employee in a County vehicle must be reported immediately to the supervisor or office holder.
- B. Any employee found to be under the influence of alcoholic beverages or unauthorized drugs or controlled substances while operating a County vehicle or equipment shall be the subject of immediate dismissal from employment.
- C. County vehicles are to be used for official county business only by employees of Crittenden County or duly appointed volunteers in an official capacity. Any employee or volunteer found to be operating a county vehicle for personal use or use other than intended shall face the following disciplinary actions: 1) First offense will result in a 3 day suspension without pay; 2) Second offense will result in immediate termination, 3) In the case of an appointed volunteer, that individual will be removed immediately. Crittenden County is not responsible for providing vehicles to employees or volunteers in which to transport family members, friends, or others that are not employed by Crittenden County or are not a volunteer in an official capacity for any reason as this constitutes liability issues for the County of Crittenden should an accident occur.

Chapter 5: Personnel Administration

Section 5.34: Health Insurance

Amended June 16, 2022

- A. All full time employees of the County shall be provided with a health insurance plan as provided by the Fiscal Court. The County will pay ~~70%~~ **75%** of the premium cost for a single plan coverage and the remaining ~~30%~~ **25%** will be paid by the employee through a payroll deduction. If the employee desires to have family plan coverage, the employee will be required to pay the difference.

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Section 5.35: Kentucky County Employees Retirement Program

Amended December 20, 2018

Amended October 20, 2022

- A. The County shall conduct the retirement program in accordance with the guidelines and directives of the County Employees Retirement System (CERS).
- B. All County elected officials shall be eligible for the County Employees Retirement System (CERS) if they meet the 100 hours of certified work per month requirement. KRS 61.510(5) and KRS 78.510(6) provide that every regular full-time position should be reported to the Kentucky Retirement Office. A regular full-time position is a permanent full-time position or a permanent part-time position where the employee's job duties require the employee to average one hundred (100) hours of work per month over a fiscal or calendar year. County Magistrates shall complete and submit a notarized copy of CC Form 12202018 to be eligible for CERS. Failure to complete and submit CC Form 12202018 shall result in removal from CERS. Should an elected County Magistrate choose not to participate in CERS no action is required on their behalf. A form CC12202018 shall be completed by each County Magistrate and submitted to the County Treasurer by December 31st of each calendar year to ensure inclusion in CERS.
- C. New employees will be subject to a six (6) month eligibility probation unless the employee was previously employed by a KPPA participating agency. Employee must have an open KPPA account in which they did not request a cash payout after separation from the previous employer. This probation waiver will be for new hires starting after October 20, 2022.

Chapter 5: Personnel Administration

***Section 5.36: Employee Relation Provisions
Training and Career Development***

- A. The County Judge 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. The County Judge may release an employee from his regular duties during work days to attend classes at a recognized institution of learning if, in the supervisor's judgment, such classes contribute favorably to the county's goals and objectives and the career development of the employees.

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Section 5.37: Performance Evaluation

- A. The County Judge and each supervisor are responsible for appraising the performance and merit of personnel under their respective jurisdiction. Performance evaluations shall be administered annually at a minimum.

- A. Grounds for disciplinary action of County employees, ranging from warnings to immediate discharge, depending upon 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 absence or abuse of sick leave;
 - (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) Displaying or distributing campaign material for a political campaign during normal working hours; the placement of any campaign or political material on a County vehicle; or participating in political activities while on the job site or during normal working hours.
- B. The County Judge 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.

- A. The County Judge 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) Inability to carry out duties in accordance with the standards prescribed for the position or these rules;
 - (2) Disciplinary reasons;
 - (3) In lieu of layoff.
- B. Written notice shall be given to the employee prior to, or at the time of, the demotion.

- A. The County Judge may suspend, with Fiscal Court approval, any County employee, with or without pay, for not more than thirty (30) calendar days for disciplinary reasons. Fiscal Court approval may come after the suspension. Should an employee be suspended without pay prior to the suspension being presented to Fiscal Court, and should Fiscal Court not approve the suspension, the employee shall be compensated for lost wages during the suspension period.
- B. Any suspended employee shall receive written notice of suspension. The notice shall state:
 - (1) Reasons for the suspension;
 - (2) Duration of the suspension.

- A. An employee may be separated by:
- (1) Dismissal;
 - (2) Resignation;
 - (3) Retirement; or
 - (4) Lay off.
- B. Upon any form of separation an employee ~~may~~ **must** provide written request to the County Treasurer for disbursement of one-half of the unused Sick Leave balance, not to exceed 250 hours at current rate of pay. An employee who retains accumulated Vacation or Sick leave earned under the prior ~~administration~~ **Administrative Code (before January 2016)** may request disbursement for banked Vacation balance and one-half Sick leave, not to exceed 250 hours at current rate of pay. All disbursement requests must be written and submitted within 30 days of separation. If a request is not made by the employee within this set time frame, all time will be forfeited.
- C. In the event of an involuntary separation, an employee must request in writing for unused current vacation to be disbursed due to the inability to use this benefit. Written requests must be submitted within 30 days of separation, otherwise all time will be forfeited.**

Chapter 5: Personnel Administration

Section 5.42: Dismissal

- A. The County Judge may dismiss an employee. Fiscal court approval for dismissal is only required for the County Treasurer, Animal Control Officer, and Road Department Supervisor.
- B. Written notice shall be given to the employee prior to, or at the time of, dismissal.

- A. An employee shall, in order to resign in good standing, give the County Judge written notice at least two weeks before the date the resignation is to take effect. The County Judge may agree to a shorter notice because of extenuating circumstances.
- B. A resignation made without two weeks written notice may be regarded as cause for denying the resigning employee future employment with the County.
- C. An employee's resignation and the circumstances pertinent to it shall be recorded in his personnel file.
- D. The employment date of an employee who resigns and is reinstated or is dismissed and is re employed shall be the date of re employment.

- A. The County Judge shall submit in writing to the Fiscal Court whenever the County Judge thinks a layoff of County workers is needed. If the court does not act in any manner within thirty (30) days, the County Judge may proceed with the layoff procedures as prescribed herein:
- (1) The order of layoff shall be established by the Fiscal Court on the basis of the needs of the County.
 - (2) Consideration shall be given to both the seniority and merit of the persons considered for layoff.
 - (3) If time permits, the County Judge shall notify the employee(s) two weeks prior to the effective date of the layoff.
 - (4) A copy of the notice shall be retained in the employee's personnel file.
- B. An employee who has given satisfactory service, and is laid off, shall be eligible for re employment in other positions for which the employee qualifies.

A. The County Judge, with Fiscal Court's approval:

- (1) May re employ any former employee:
 - i. Who has resigned from County employment with a good record;
 - ii. Who has been laid off because of lack of work or funds.
- (2) Shall reinstate any employee who has been demoted or dismissed for a reason prohibited by local, state or federal employment regulations

- A. A Grievance Committee will be set up on request of a complaining employee. The committee will consist of (2) members of Fiscal Court and the County Judge. **NOTE: Make certain that you do not create a quorum of Fiscal Court on the Committee.**
- B. Grievance Procedure. Any grievance or dispute which may arise from employment with the County shall be settled in the following manner:
- (1) The employee shall present the grievance to his/her supervisor within three (3) working days of its occurrence or within three (3) working days of knowledge of the occurrence by the employee. The supervisor should attempt to respond to the employee within seven (7) days of the receipt of the complaint.
 - (2) If the grievance remains unadjusted, it may then be presented by the employee to the County Judge for review by the Grievance Committee within a reasonable period of time. The Grievance Committee may make a recommendation to the County Judge after review.

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Section 5.47: Grievance Procedure for Complaints Relating to Suspected or Alleged Discrimination on Basis of Handicapped Status

- A. Any person (employee or citizen) who believes that he or she has been subjected to discrimination as prohibited by Section 504 of the Rehabilitation Act of 1973, may personally or by representative, file a complaint with the Office of the County Judge. A person who has not personally been subjected to discrimination may also file a complaint.
- B. When any person, (employee, citizen or applicant) who believes he or she has been adversely affected by an act or decision by the County and that such act or decision was based on handicapped status said person shall have the right to process a complaint or grievance in accordance with the following procedure:
 - (1) Step One: An aggrieved person must submit a written statement to the County Judge setting forth the nature of the discrimination alleged and facts upon which the allegation is based.
 - (2) Step Two: The County Judge shall contact the complainant no later than twenty (20) days after receiving the written statement to establish an informal meeting with the objective of resolving the matter informally. However, in no case shall the informal meeting be conducted sooner than five (5) days nor more than forty five (45) days after receiving the written statement. The County Judge and the County Attorney or the County Attorney's designee shall represent the County during the informal meeting. There shall be prepared written documentation of the discussions at the informal meeting, which shall be preserved in the records of the County.
 - (3) Step Three: Within fifteen (15) days of the informal meeting, the County Judge shall present to the Fiscal Court a proposed remedy.
 - (4) Step Four: The Fiscal Court shall approve the proposed remedy, approve a different remedy or choose to take no action. The Fiscal Court shall issue a written decision on the matter within fifteen (15) days
- C. In the discussion of the grievance, the complainant may designate any person of his choice to appear with him and participate in the discussion. The Fiscal Court shall require the County Judge and the County Attorney, or the County Attorney's designee, to participate in the discussion of the grievance, when it is brought before Fiscal Court. The decision shall be the final procedure for the complainant at the local level. However, should the complainant not be satisfied with the remedy, the complainant may offer an alternate remedy within fifteen (15) days of receipt of the Fiscal Court's written decision. The Fiscal Court has fifteen (15) days to act upon the complainant's alternate remedy or the earlier written decision shall be considered final.

A. Personnel Records:

- (1) For each County employee, a personnel file shall be maintained in the office of the Crittenden County Judge by the County Treasurer.
- (2) The file shall include, but not be limited to:
 - i. The employee's name;
 - ii. The title of his position;
 - iii. The department or office to which he is assigned;
 - iv. Salary;
 - v. Past changes in his status as a County employee;
 - vi. Additional information deemed relevant or required by this Administrative Code; and
 - vii. Employee's application for employment.

Chapter 5: Personnel Administration

Section 5.49: Political Activity

- A. Employees, while in the service of the County, are not required to contribute to any political fund or be denied the rights of political activity.

A. Purpose

- (1) To advise employees that ~~sexual~~ harassment **of any means** is a violation of law.
- (2) To clearly state that employees or employee applicants should not be subjected to unwelcome sexual conduct **or harassment**, 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 for disciplinary action in the event this policy is not followed.

B. **Sexual Harassment** Policy

- (1) Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - ii. Submission to or rejection of any such conduct by an individual is used as the basis for employment decisions; or
 - iii. Such conduct has the result of unreasonably interfering with an individual's work performance or creating an intimidating or offensive work environment.
- (2) Examples of specific conduct include, but are not limited to:
 - i. Visual displays of sexually explicit or suggestive materials;
 - ii. Sexually explicit or suggestive comments or jokes;
 - iii. Sexually explicit or suggestive gestures;
 - iv. Sexually explicit or suggestive e-mail;
 - v. Using the internet to view sexually explicit or suggestive material; and
 - vi. Touching co-workers in sexually suggestive or explicit manners.
- (3) The activities described above are prohibited on the part of all employees and elected county officials. It is not necessary that there be a supervisory relationship between the involved persons for the activity to be in violation of county policies.
- (4) 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 County Judge. If the immediate supervisor is involved in the activity, the violation should be reported immediately to the County Judge. In the event the County Judge is the subject of the problem, the employees should notify the County Attorney. All resulting investigations shall be kept confidential to the extent possible.
- (5) Any employee violating this policy will be subjected immediately to disciplinary action ranging from a written warning to discharge, depending upon the nature and severity of the violation in this case.
- (6) 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.

C. Harassment Policy

(1) Harassment is defined as:

KRS 525.070 Harassment:

(1) A person is guilty of harassment when, with intent to intimidate, harass, annoy, or alarm another person he or she:

(a) Strikes, shoves, kicks, or otherwise subjects him to physical contact;

(b) Attempts or threatens to strike, shove, kick, or otherwise subject the person to physical contact;

(c) In a public place, makes an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present;

(d) Follows a person in or about a public place or places;

(e) Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose; or

(f) Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event.

(1) Damages or commits a theft of the property of another student;

(2) Substantially disrupts the operation of the school; or

(3) Creates a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.

(2) (a) Except as provided in paragraph (b) of this subsection, harassment is a violation.

(b) Harassment, as defined in paragraph (a) of subsection (1) of this section, is a Class B misdemeanor

(2) Harassing Communications is defined as:

KRS 525.080 Harassing Communications:

(1) A person is guilty of harassing communications when, with intent to intimidate, harass, annoy, or alarm another person, he or she:

(a) Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication;

(b) Makes a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or

(c) Communicates, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, the internet, telegraph, mail, or any other form of electronic or written communication in a manner which a reasonable person

under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

- (2) Harassing communications is a Class B misdemeanor.
- (3) If an employee is harassed by anyone within county government, report the situation to the department head immediately. It is also the responsibility of any bystander that may witness acts of harassment to report the situation to the department head immediately. In the event, the person causing the harassment is the department head, report incident to the County Judge Executive.
- (4) Crittenden County will not tolerate acts of harassment through any means, including those of any social media or electronic device. Acts of harassment that may be found on any social media or electronic device must be reported to the department head immediately. If the person causing the harassment is the department head, then the incident will be reported to the County Judge Executive. Examples of social media or electronic device harassment may include, but is not limited to; Facebook, Twitter, Topix, texting, email, photographic materials, telephone, cell phone, etc.
- (5) Harassment and harassing communication are both Class B Misdemeanor per KRS and will not be tolerated within any department of the County of Crittenden. Failure of any county employee to adhere to this harassment policy may result in dismissal.

Chapter 5: Personnel Administration

Section 5.51: Expense Reimbursement

*Amended June 17, 2021
Amended January 20, 2022
Amended June 30, 2022
Amended August 24, 2023*

- 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.
 - (2) Meal Costs: Not to exceed \$30.00 per day (upon presentation of receipt(s)).
 - (3) Mileage: ~~Rate paid at 0.53 cents per mile~~ **Effective September 1, 2023, milage rate will be paid in accordance to the quarterly approved rate set by Commonwealth of Kentucky when** if travel by personal vehicle is required.
 - (4) Air Fare: Lowest coach fare. County Judge approval required.
 - (5) 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. Amenities such as valet parking, room service, phone call charges, rented movies, etc. shall not be a reimbursable expense.
 - (6) 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:
- (1) All travel by county employees must be approved in advance by the employee's supervisor and the County Judge. Meeting notices supporting travel shall be submitted with the travel request, when available. The County Judge shall make all room and travel reservations.
- C. Reimbursement
- (1) The Request for Travel Reimbursement CC Form# 011818 must be completed (including required receipts) and submitted to the County Judge within (30) thirty days after returning from travel.
 - (2) The Request for Travel Reimbursement CC Form# 011818 must be signed by the employee requesting reimbursement, the supervisor, and the County Judge.
- D. Uniform Expense Reimbursement: Effective June 17, 2021, the county will provide reimbursement to county employees of the Road Department, Marion Convenience Center, Animal Shelter, and Maintenance Staff for qualified uniform purchases. The reimbursement option will be implemented immediately for those current employees or future hires that are not participating in the uniform program as of the date of approval for this amendment. The employees that are participating in the uniform program as of the date of the approval for this amendment will receive a complete set of uniforms upon the liquidation settlement with the uniform provider and will be enrolled in the uniform reimbursement program as of July 1, 2022.
- (1) Qualified Uniform Purchase
 - i. Road Department – Hi Visibility ANSI Class 2 or Class 3 Work Shirts (short sleeve, long sleeve, button-up or t-shirt style accepted); Work Jean or Industrial Work Pant; Steel Toe Boot/Shoe; Hi Visibility ANSI

Chapter 5: Personnel Administration

Section 5.51: Expense Reimbursement

*Amended June 17, 2021
Amended January 20, 2022
Amended June 30, 2022
Amended August 24, 2023*

- Class 2 or Class 3 Jacket (Winter or Rain accepted); Insulated Bibs/Coveralls.
- ii. Marion Convenience Center – Hi Visibility ANSI Class 2 or Class 3 Work Shirts (short sleeve, long sleeve, button-up or t-shirt style accepted); Work Jean or Industrial Work Pant (short length accepted); Steel Toe Boot/Shoe; Hi Visibility ANSI Class 2 or Class 3 Jacket (Winter or Rain accepted); Insulated Bibs/Coveralls.
 - iii. Animal Shelter – Solid color or a print/pattern pre-approved by the Judge Executive (Polo, Button-up, or T-Shirt style, long or short sleeve accepted); Work Jean or Industrial Work Pant; Work Boot/Shoe; Winter or Rain Jacket; Insulated Bibs/Coveralls.
 - iv. Maintenance – Solid color or a print/pattern pre-approved by the Judge Executive (Polo, Button-up, or T-Shirt style, long or short sleeve accepted); Work Jean or Industrial Work Pant; Work Boot/Shoe; Winter or Rain Jacket.
- (2) An employee will be allowed reimbursement of qualified purchases up to \$750.00 during the first year of employment for new hires and/or those that had not participated in the current uniform program as stated in Section D. Beginning July 1, 2022 all employees shall be eligible for the annual reimbursement of up to \$750.00 per fiscal year for qualified uniform purchases as defined in Section D (1)(i – iv). Balances will renew at \$750.00 annually on July 1st each year. No balance will be carried over to a new fiscal year. Due to the lack of winter attire being supplied through the previous uniform service, employees enrolled in previous program will be provided a \$500 allowance during FY 2022 specifically for winter attire as approved by policy.
- (3) An employee must submit an original, legible detailed receipt with CC Form 06172021 to their direct supervisor for review and approval. The form and original receipt will then be submitted to the County Treasurer/Finance Officer for review of available balance and approval by the County Judge Executive. A complete approved reimbursement request will be authorized to be disbursed upon receipt with the next scheduled recurrent check run.

Chapter 5: Personnel Administration

**Section 5.52: Drug Free Workplace
Drug and Alcohol Free Workplace – Substance Abuse Policy**

- A. Purpose and Goal: Crittenden County Fiscal Court (CCFC) is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. CCFC recognizes that alcohol abuse and drug use pose a significant threat to county goals. In the interest of assuring the safety of the general public by employing persons in safety sensitive positions that do not abuse illicit substances, illegal drugs, and alcohol, this drug-free workplace policy establishes the balance of respect for individuals with the need to maintain an alcohol and drug-free environment.

Likewise, it is CCFC's additional purpose(s) and intent to accomplish the following with the establishment of this policy:

- (1) To comply with all requirements of 803 KAR 25:280 regarding the establishment and maintenance of a Drug Free Workplace for the purposes of obtaining Certification from the Department of Worker's Claims.
- (2) As a recipient of Federal funds, to comply with the Drug Free Workplace Act of 1988 (PL100-690, Title V, Schedule D).
- (3) To comply with the Federal Department of Transportation regulations regarding employees holding Commercial Drivers Licenses (CDL).
- (4) To reduce the number of accidents and injuries to employees, other persons, and property.
- (5) To reduce absenteeism and tardiness, and to increase the productivity of all employees of the county.
- (6) To help ensure that the reputation of CCFC as a whole and of the employees throughout the community.
- (7) In line with CCFC's stated goals and objectives, to provide leadership in helping to stem the tide of the abuse of alcohol, illicit substances, and illegal drugs throughout County and the Commonwealth of Kentucky as a whole.
- (8) It is with these stated goals in mind that the Crittenden County Fiscal Court issues this policy, declaring itself a Drug and Alcohol Free Workplace and hereby issues these accompanying rules regarding drug and alcohol use in the workplace for Crittenden County Fiscal Court.
- (9) The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled or illicit substance is prohibited in the workplace.

B. Definitions

- (1) *Accident:* an unexpected and undesirable event resulting in damage or harm. For the purposes of this policy, the resulting damage or harm may constitute an injury which requires off-site medical attention be given to a person or damage to a vehicle or other property. Any such incident resulting in the need for a reasonable person to file a police report shall be considered cause for post-accident drug/alcohol testing of the involved employee.
- (2) *Alcohol:* any intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl or isopropyl alcohol. This includes over-the-counter and prescribed medications which contain more than one-half (1/2) of one percent (1%) of alcohol by volume.

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- (3) *Alcohol concentration*: the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.
- (4) *Commercial motor vehicle*: a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:
 - i. Has a gross combination weight of 26,001 or more pounds inclusive of a towed unite with a gross vehicle weight rating of more than 10,000 pounds; or
 - ii. Has a gross vehicle weight of 26,001 pounds or more; or
 - iii. Is designed to transport 16 or more passengers, including the driver; or
 - iv. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR 172(f)).
- (5) *Controlled substance*: has the meaning as assigned by 21 U.S.C. 802 and includes all substances listed on Schedule I through V as they may be revised from time to time (21 CFR 1308). See also Drug.
- (6) *Driver*: any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to any employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer.
- (7) *Drug*: a controlled substance as defined in KRS 218A.010(5) and as established in 902 KAR Chapter 55, including:
 - i. Amphetamines
 - ii. Cannabinoids (THS)
 - iii. Cocaine
 - iv. Opiates
 - v. Phencyclidine (PCP)
 - vi. Benzodiazepines
 - vii. Propoxyphene
 - viii. Methaqualone
 - ix. Methadone
 - x. Barbiturates
 - xi. Synthetic Narcotics
 - xii. Illicit Substances as defined in KRS 351.010
 - xiii. Volatile Substances as defined in KRS 217.900(1)
- (8) *Drug or Alcohol Rehabilitation Program*: a service provider that provides confidential, timely, and expert identification, assessment, treatment and resolution of employee drug or alcohol abuse.

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- (9) *Drug Test*: a chemical, biological, or physical instrumental analysis administered by a qualified laboratory, for the purpose of determining the presence or absence of a drug or its metabolites or alcohol pursuant to standards, procedures, and protocols established by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA).
- (10) *Employee*: an individual employed by the county.
- (11) *Illicit Substance*: those prescription drugs used illegally or in excess of therapeutic levels as well as illegal drugs.
- (12) *Medical Review Officer (MRO)*: a licensed physician with knowledge of substance abuse disorders, laboratory testing, and chain of custody collection procedures, and who has the ability to verify positive, confirmed test results. The MRO shall possess the necessary medical training to interpret and evaluate a positive test result in relation to the person's medical history or any other relevant biomedical information.
- (13) *Qualified Laboratory*: a laboratory certified in accordance with the National Laboratory Certification Program (NLCP) by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA).
- (14) *Random Selection Process*: means that alcohol and drug tests are unannounced. Tests conducted annually for employees who are CDL drivers shall equal or exceed twenty-five percent (25%) for alcohol tests and fifty percent (50%) for drug tests of the total number of drivers subject to testing.
- (15) *Reasonable Suspicion*: a belief that an employee is using or has used drugs or alcohol in violation of this policy, drawn from specific, objective, and articulable facts and reasonable inferences drawn from those facts in light of experience, training, or education. Reasonable Suspicion may be determined by two or more supervisory personnel who will attest to their observations. The Executive Authority will make the final determination.
- (16) *Refusal to Submit*: the failure to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing; refusal to take the required test(s) or the failure to provide adequate urine for controlled substances testing without a valid medical explanation after the employee receives notice of the requirement of urine testing; and/or engaging in conduct that clearly obstructs the testing process.
- (17) *Safety Sensitive Position(s)*: those jobs that would involve exceptional care and due diligence in the area of Public Safety to the County's citizenry and to all employees of the County Fiscal Court. This includes any employee who performs a duty(s) that requires a CDL or any employee that holds a CDL or other classifications identified within the random selection section of this policy.
- (18) *Substance Abuse Professional*: a licensed or certified psychologist, social worker, employee assistance professional or addition counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.
- (19) *Volatile Substance*: any glue, cement, paint or other substance as described in KRS 217.900(1).

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- C. Covered Workers: Any individual who conducts business for CCFC, is applying for a position or is conducting business on the CCFC's property is covered by our drug-free workplace policy. This policy includes, but is not limited to supervisors, full-time employees, part-time employees, off-site employees, contractors and applicants.
- D. Applicability: The drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for CCFC. Therefore, this policy applies whenever conducting business or representing CCFC. This policy applies during all working hours, while on call or paid standby and while performing work on behalf of CCFC while on or off CCFC property. Additionally, applicants for such county employment are subject to pre-employment drug testing. It also applies to all CCFC employees with special provisions designated to those employees identified as holding Safety Sensitive positions. These positions are ones in which their performance requires an extra degree of care and diligence in the area of safety to the community. Those positions identified as Safety Sensitive include, but not limited to:
- (1) County Sheriff's Department Employees
 - (2) Employees of the County Jailer
 - (3) Heavy Equipment Operators
 - (4) Personnel driving CDL regulated vehicles
 - (5) Mechanics who work on these regulated vehicles
 - (6) Any personnel operating CCFC owned vehicles

NOTE: The positions identified above as being "Safety Sensitive" include, but are not limited to, those regulated under 49 CFR 40. While this program includes those federally mandated employees, this Drug and Alcohol Free Workplace Policy is not intended to replace and shall be separate from any Drug and Alcohol Free Workplace Policy previously adopted and implemented by CCFC which may have included only federally regulated employees.

E. Policy Requirements

- (1) Training: The County Fiscal Court shall conduct substance abuse awareness training for all employees. This substance abuse awareness training shall consist of the following minimum requirements:
 - i. Upon a conditional offer of employment from the Court, each applicant shall be provided a copy of and will be asked to read the Court's Drug & Alcohol-Free Workplace policy. All current employees will also be asked to read and sign the Certification of Acknowledgement - Drug & Alcohol-Free Workplace Policies and Procedures Form (Appendix A)
 - ii. Initial training shall consist of at least 1-hour for all employees.
 - iii. Annual refresher training shall be conducted for all employees in substance abuse awareness and shall consist of no less than thirty (30) minutes.
 - iv. All alcohol and substance abuse awareness training shall include, at a minimum, information concerning:
 - a) Alcohol and drug testing policy and procedures;

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- b) The effects of alcohol and drug use on an Individual's health, work and personal life;
 - c) The disease of alcohol or drug addiction;
 - d) Signs and symptoms of an alcohol and drug problem;
 - e) The role of co-workers and supervisors in addressing alcohol or substance abuse; and
 - f) Referrals to an employee assistance program.
- v. In addition to all of the above training, all supervisory personnel shall receive an additional thirty (30) minutes each year of alcohol and substance abuse education and awareness training. This additional supervisory training will be documented using, the Supervisory Training Certification Certificate. This additional supervisory training shall consist of at least, all of the following:
- a) Recognizing the signs of alcohol and substance abuse in the workplace;
 - b) How to document signs of employee alcohol or substance abuse;
 - c) How to refer employees to an employee assistance program or other alcohol and substance abuse treatment program; and
 - d) Legal and practical aspects of Reasonable Suspicion testing for the presence of drugs and alcohol.

NOTE: County's Drug & Alcohol Free Workplace Policy shall include controlled-access maintenance in the Office of the County Judge Executive, of business records including the names and position titles of all employees and supervisory personnel trained under the program as described above, and the names of all persons who presented alcohol and substance abuse awareness training, for review by the Office of Worker's Claims.

NOTE: Should any portion of this policy dealing with the actual administration of this policy be amended, employees shall be provided with copies of any administrative change or modification and given an opportunity to ask questions and obtain answers regarding any administrative change(s) in this policy. However, changes may not be made to the policy that would circumvent any requirements associated with 803 KAR 25:280.

- (2) Drug and Alcohol Testing: The County currently utilizes Crittenden Health Systems, Inc. as its laboratory of choice for the collection of urine samples in the case of testing for controlled substances, and Marion Police Department for the administration of breathalyzer tests for alcohol concentration. Secure Tox is also the Court's third-party administrator of choice for the random selection category of testing. Employees are selected by SecureTox using a statistically valid method of selection of specific employee codes. This random testing will be reasonably spaced over a twelve (12) month period. Because of the random nature of the selection process, any employee may be tested more than once, or not at all. Once collected, all urine samples are forwarded for analysis to Different Laboratory, which is a laboratory approved by the

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National Laboratory Certification Program (NLCP) under the United States Department of Health and Mental Services Substance Abuse and Mental Health Services Administration (SAMHSA). The County shall administer alcohol and drug tests in circumstances which include but may not be limited to the following:

- i. Pre-Employment Testing: Breath alcohol and urine drug testing shall be required of all new hire applicants after their receipt of a conditional offer of employment. After receiving the conditional offer of employment, applicants will have twenty-four (24) hours in which to submit to testing at a testing facility of CCFC's choosing. The CCFC requires that every newly hired employee test free of controlled substances and have a breath alcohol concentration of not more than 0.00. Each offer of employment by CCFC shall be conditional upon the passing of controlled substance and alcohol tests. Refusal by any applicant for employment with CCFC to take the controlled substance test will result in the conditional offer of employment being withdrawn. All testing under this policy will be in accordance with testing protocols described elsewhere in this policy.
 - a) An applicant with a confirmed positive test for controlled substances and/or breath alcohol in a concentration of 0.00 or greater which is not legitimately explained to and accepted by a Medical Review Officer, will not be considered for employment.
 - b) Any applicant who fails a controlled substance or breath alcohol test may not be considered for future employment with CCFC.
 - c) Any applicant who refuses to take a controlled substance or breath alcohol test will be disqualified from future consideration for employment.
 - d) Any applicant who tampers with, or attempts to tamper with, a urine specimen in any manner shall be disqualified from current and future consideration of employment with the CCFC.
 - e) An applicant whose positive test is confirmed and upheld by the Medical Review Officer (MRO) may request that the same sample be retested at her/his own expense at a CCFC approved laboratory.
 - f) Individuals undergoing pre-employment testing shall not begin official employment with the CCFC until after all test results are received and shown to be negative. Upon receipt of the test result, positive or negative, the County Judge-Executive or his/her designee shall inform the appropriate department head of the results.
- ii. Random Testing: Employees in a Safety Sensitive position will be required to participate in a statistically valid, unannounced random selection process, which will subject them to mandatory drug and/or alcohol testing. This category of testing will conduct random tests for alcohol at a rate of no more than ten percent (10%) for non-federally regulated Safety Sensitive positions. Employees holding positions in which a Commercial Driver License (CDL) is required, must also be tested at a minimum rate of ten percent (10%) for alcohol annually to satisfy Department of Transportation (DOT) requirements. In the ease of random testing for drug use, non-federally regulated Safety

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Sensitive positions will be tested at a rate of no more than ten percent (10%). Employees holding positions in which a CDL is required, must be tested for drugs at a rate fifty percent (50%) annually to satisfy DOT requirements. All employees in federally regulated Safety Sensitive positions shall be selected from a pool that is separate from the random selection pool for other non-federally regulated Safety Sensitive positions. The County Judge-Executive shall utilize a third party to conduct the random selection of Safety Sensitive employees, including employees holding a CDL, to be tested. This random testing shall be unannounced and will take place throughout each calendar year. Safety Sensitive employees are selected by a third party administrator using a statistically valid, random method of selection using specific employee codes. Because of the random nature of this testing process, Safety Sensitive employees may be selected for testing more than once or not at all. Once an employee is notified that he/she has been selected for testing, the employee must proceed immediately to the testing site of CCFC's choosing.

NOTE: Employees in Non-Safety Sensitive positions will be included in the Non-Safety Sensitive random selection pool. Procedures and protocols for "Reasonable Suspicion", "Post Accident", "Return-to-Duty" and "Follow-up" testing all of which testing types are described elsewhere in this policy will apply in their case.

- iii. Reasonable Suspicion Testing: A reasonable suspicion test shall be based on a belief that an employee is using or has used drugs or alcohol in violation of this policy, drawn from specific objective facts and reasonable inferences drawn from those facts in light of experience, training or education. The reasonable suspicion testing shall be based upon:
 - a) While at work, direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol;
 - b) While at work, abnormal conduct, erratic behavior, or a significant deterioration in work performance;
 - c) A report of drug or alcohol use provided by a reliable and credible source;
 - d) Evidence that an individual has tampered with a drug or alcohol test during employment with the CCFC;
 - e) Information that an employee has caused, contributed to, or been involved in an accident while at work;
 - f) Evidence that an employee has used, possessed, sold, solicited, or transferred illegal or illicit drugs or used alcohol while on CCFC's premises or while operating CCFC's vehicle, machinery or equipment.
 - g) The County Judge-Executive or his/her designee shall be notified immediately of any indication of reasonable suspicion. Both the observing department supervisor and the County Judge-Executive or his/her representative will review the policies and procedures herein and if necessary make arrangements with a testing facility of CCFC's choosing to conduct reasonable suspicion drug and/or alcohol testing as soon as

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possible. If a representative from the office of the County Judge Executive is not available, the observing supervisor shall obtain the assistance of another CCFC supervisor or other credible and reliable source and together they shall complete the Reasonable Suspicion Form, and forward it to the County Judge-Executive. If after completing the form, it is determined that there is in fact, reasonable suspicion that the employee is under the influence of drugs and/or alcohol, the observing supervisor or his/her designee will notify the employee and accompany him/her to the testing site.

- h) When a reasonable suspicion test is ordered, the employee must submit to testing within 45 minutes of being notified that he/she will be tested. The observing supervisor and/or designee shall remain at the testing site with the employee being tested, until the collection process is completed. Any employee who is tested for reasonable suspicion shall be placed on leave with pay until the results of the test are known. After submitting to the drug/alcohol test, the employee may not return to work until the results of the test are known and only then if the results are negative. Only the County Judge-Executive or his/her authorized designee may order a reasonable suspicion test.
- iv. Post-Accident Testing: Drug and alcohol testing will be conducted following an employee's involvement in an accident in which property damage occurs, on or off CCFC's premises while on duty, or in the course of employment for CCFC, or which requires off-site medical attention be administered to a person.
 - a) Qualifying Event Exception: Due to varying types of accident cause, all accidents categorized as a "qualifying event" may not require post-accident testing. Exceptions to the "qualifying event" for requiring post-accident drug and alcohol testing will include, but may not be limited to the following types of accidents.
 - I Injuries whose onset is cumulative or gradual – such as carpal tunnel syndrome, progressive hearing loss, mental disorders, dermatitis, respiratory diseases, skin disorders, etc.
 - II Injuries where the employee can be completely discounted as the contributing factor (i.e. injuries caused by a third party or some other uncontrollable force or event such as weather, insects, toxic plants, etc.)
 - III Injuries where the employee can be completely discounted as the major contributing factor or those injuries occurring during physical fitness or a training event, in which the employee did everything within reason to avoid the injury accident, (i.e. was performing training as instructed).
 - IV In each case, the County Judge-Executive or his/her designee shall determine the necessity of drug and alcohol testing and shall communicate such testing with the involved employee and the employee's respective department head. The County Judge-

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Executive or his/her designee shall coordinate all required tests with the appropriate medical facilities.

- V An employee involved in an accident while on an out-of-town assignment, shall notify their department director or the director's designee as soon as possible but no later than two (2) hours after the accident occurred. The department director shall notify the County Judge-Executive or her/his designee to discuss possible drug/alcohol testing requirements.
- b) Other Qualifying Event: The department director or his/her designee shall request controlled substance/breath alcohol testing when an employee caused or cannot be completely discounted from causing a vehicular or any other type of accident in which death, serious bodily injury or major property damage did result or could have resulted. If a post-accident controlled substance/breath alcohol test is required, a confirmed positive test result will result in the employee's immediate termination.
- v. Return-To-Duty Testing: The Crittenden County Fiscal Court maintains a "No Tolerance" policy for drugs and/or alcohol. "No Tolerance" means that once you are selected for a drug or alcohol test, should your test be positive, without a valid medical or bio-medical reason as confirmed by a Medical Review Officer, you will be immediately terminated from your employment with CCFC. Only in circumstances in which the employee voluntarily elects to seek assistance for a substance abuse problem through the Employee Assistance Program prior to being selected for a test, completes whatever form of treatment a Substance Abuse Professional recommends and is willing to sign a Return to Work/Treatment Plan Agreement, will CCFC consider allowing the employee to return to work after treatment is successfully completed as confirmed by a Substance Abuse Professional. In all cases, it shall be at the discretion of the CCFC, subject to all applicable laws and regulations, as to whether to allow an employee to return to work. In the event that an employee who has voluntarily sought assistance, prior to being selected for a controlled substance or breath alcohol test is allowed to enter a controlled substance/alcohol abuse rehabilitation program, the employee may be allowed to return to work only under the following circumstances.
 - a) The employee may resume regular duties only after the employee tests negative in an alcohol and/or controlled substance test administered by the CCFC-approved laboratory and can provide a release to return to work from an appropriate substance abuse treatment facility or confirmation of continued and on-going participation in a CCFC recognized substance abuse assistance program. An employee must test negative within a reasonable period of time from receipt of the initial test results not to exceed forty-five (45) days. Any repeat occurrence of substance abuse or violation of any other aspect of the CCFC's Drug Free Workplace Policy will result in immediate termination.
 - b) Prior to returning to work, the employee shall be required to meet with the County Judge-Executive or his/her authorized designee to receive an explanation of the terms of continued employment; and to sign a written

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Return-To-Work/Treatment Plan Agreement, detailing the terms under which the employee will be allowed to return to work. Such agreement shall stipulate that the employee, at the Court's request, may be required at any time, to submit to interviews and/or evaluation by the professional staff at an appropriate chemical dependency treatment facility approved by the CCFC's Employee Assistance Program (EAP). The return-to-work agreement will also stipulate that the employee be required to submit to unannounced controlled substance and/or alcohol testing for up to twelve (12) months after resuming duties.

- vi. Follow-up Testing: Any employee returning to work from successful completion of an Employee Assistance Program for drug and/or alcohol-related problems, or a drug and/or alcohol rehabilitation program, shall be required to undergo one (1) year of quarterly drug and alcohol testing. The frequency of the follow-up testing shall consider recommendations of any involved Substance Abuse Professional (SAP) but shall be not less than once per quarter (every three months) for at least one (1) year. All follow-up testing may be requested at any time and shall be unannounced.
- vii. Testing Protocol: The collection of samples and administration or drug and alcohol tests shall follow all standards, procedures and protocols set forth by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Administration (SAMHSA). Test results will be obtained by a qualified laboratory as defined elsewhere in this policy and results shall undergo a medical review as follows:
 - a) All test results shall be submitted for medical review by a Medical Review Officer (MRO) of the County's choosing, who shall consider the medical history of the employee or applicant, as well as relevant biomedical information.
 - b) If there is a positive test result, the employee or applicant will be given an opportunity to report to the MRO the use of any prescription or over-the-counter medication.
 - c) If the MRO determines that there is a legitimate medical explanation for a positive test result, the MRO may certify that the test results do not indicate the unauthorized use of alcohol or a controlled substance.
 - d) If the MRO determines, after appropriate review, that there is not a medical explanation for the positive test result other than the unauthorized use of alcohol or a prohibited drug, the MRO shall refer the individual tested to the County Judge-executive or his/her authorized representative for further proceedings in accordance with CCFC's Drug Free Workplace Policy.

Note: MRO determinations concerning the use of alcohol or a controlled or illicit substance shall comply with all procedures outlined in the U. S. Department of Health and Human Services (SAMHSA) "Medical Review Officer Manual for Federal Drug Testing Programs".

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- viii. **Testing Process:** Employees shall report to the collection site of CCFC's choosing immediately after being provided the notification to test. In the case of reasonable suspicion testing, a supervisor or designee shall escort the employee to the collection site. Drug testing will be conducted by urine sample while alcohol testing will be analyzed using a breath alcohol testing/screening device. Drug and alcohol analysis will be performed by a trained technician. To ensure that the test specimen is actually that of the donor, collection site staff will require positive identification of the test subject. To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody. All drug-testing information will be maintained in separate confidential records.
- a) **Alcohol:** County Fiscal Court shall require all tests for alcohol to be performed by a Certified Breath Alcohol Technician (BAT).
 - b) **Drugs:** An eleven (11) panel urine test will be conducted and shall include analysis for the following substances:
 - I Amphetamines;
 - II Cannabinoids (THC);
 - III Cocaine;
 - IV Opiates;
 - V Phencyclidine (PCP);
 - VI Benzodiazepines;
 - VII Propoxyphene;
 - VIII Methaqualone;
 - IX Methadone;
 - X Barbiturates;
 - XI Synthetic Narcotics
- ix. Each employee, as a condition of employment, will be required to participate in pre-employment, random, post-accident, reasonable suspicion, return-to-duty and follow-up testing upon selection or request of management.
- x. Any employee who tests positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations, required to pass a Return-to-Duty test and sign a Return-to-Work Agreement, subject to ongoing, unannounced, follow-up testing for a period of five years and terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement.

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- xi. An employee will be subject to the immediate termination of employment if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, fails or declines to take a second drug test when directed, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.
- (3) Prohibited Behavior: It is a violation of the drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, notify company doctor) to avoid unsafe workplace practices. The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of the CCFC's Drug-Free Workplace Policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur.
- F. Crittenden County Fiscal Court reserves the right to define and interpret prohibited activities that specifically include, but may not be limited to:
- (1) Alcohol
 - i. Prohibited conduct involving the use of alcohol includes the following:
 - a) The performance of or being immediately available to perform work duties while having an alcohol concentration greater than 0.00.
 - b) The consumption of alcohol or products containing alcohol during the performance of or being immediately available to perform work responsibilities.
 - c) In the case of Safety Sensitive employees, containing alcohol during the performance of or being immediately able to perform Safety Sensitive work responsibilities. This includes the possession of medicines containing alcohol (prescription or over-the-counter) unless the seal is unbroken and/or the medication is prescribed by a licensed physician, and said physician has confirmed the necessity of the Safety Sensitive employees' said possession of the prescribed substance containing alcohol and has confirmed that the use of such substance will not deter from the employees ability to safely perform assigned Safety Sensitive responsibilities. In the latter case, a Prescription Drug Notification Form must be on file with the County Judge-Executive.
 - d) The performance of, or being immediately available to perform those responsibilities designated as Safety Sensitive, within four hours after using alcohol.
 - e) The transportation and/or possession of alcoholic beverages (open or closed containers) within CCFC owned vehicles or equipment. Note: Law

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enforcement personnel functioning within the scope of their assigned duties shall be considered exempt from this prohibition as deemed necessary by their respective department head(s).

- I The use of alcohol for eight hours immediately following an accident requiring a post-accident alcohol test or until a post-accident test is administered, whichever occurs first.
- II Refusal to submit or cooperate with any of the required testing types.
- III The operation of a CCFC owned vehicle following consumption of alcoholic beverages shall be considered a violation of this policy and shall result in disciplinary action.

NOTE: Employees attending training programs and/or conferences related to their employment with CFC may participate in social functions associated with the program or conference. If alcoholic beverages are present at the social function and the employee chooses to engage in consumption of said beverage(s), they shall do so at their own discretion. Employees who choose to engage in the consumption of alcoholic beverages as part of a work related social function shall do so in a responsible manner, maintaining a conduct that would not reflect adversely upon the CFC. Any unbecoming conduct by an employee who has chosen to consume alcohol at such conference or training program that has an adverse effect upon the CFC will be subject to disciplinary action up to and including termination of employment.

NOTE: Alcohol includes any intoxicating agent in beverage alcohol, methyl, and isopropyl alcohol whether used for medicinal purposes or not. Many over-the-counter and prescription medications contain high percentages of alcohol.

G. Notification of Convictions: Employees are hereby notified that they shall inform the County Judge-Executive or his/her authorized designee, of any criminal charge or conviction within five (5) days of said charge or conviction. The County Judge-Executive shall take appropriate action within thirty (30) days.

H. Drugs or Controlled Substances: Prohibited conduct involving the use of drugs or controlled substances includes, but may not be limited to, the following:

- (1) Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. However, any Safety Sensitive employee taking prescribed or over-the-counter medications will, in all cases, be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her Safety Sensitive job duties. Prior to initiating usage after such medications are prescribed, the Safety Sensitive employee shall submit a Prescription Drug Notification Form to their immediate supervisor who shall in turn, submit it to the County Judge-Executive or his/her designee as soon as possible. After receiving

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such form, the County Judge-Executive or his/her authorized designee may request written medical authorization showing the Safety Sensitive employee may possess/use such medication, that it was used in the prescribed manner and showing the Safety Sensitive employee is fit to safely perform Safety Sensitive assigned duties. If the use of such medication could compromise the safety of the Safety Sensitive employee, fellow employees, or the public at large, it is the Safety Sensitive employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty and notify his/her supervisor) to avoid unsafe workplace practices. No prescription drugs shall be brought onto CCFC property, or consumed on Court property by anyone other than the individual for whom the drugs have been prescribed by a licensed medical practitioner. The illegal or unauthorized use of prescription drugs is strictly prohibited. It is a violation of the CCFC's Drug Free Workplace Policy to intentionally misuse and/or abuse prescription medications.

Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur as the result of the intentional misuse and/or abuse of prescription medication.

CCFC reserves the right to have a designated physician of its choosing to determine if a prescription drug or medication produces effects that would be considered unacceptable in the performance of assigned Safety Sensitive work duties. The designated physician has final determination on whether the medication will have or is having an unacceptable effect on the Safety Sensitive employee's performance of duties. In such instances of temporary impediment to safe performance of regular Safety Sensitive duties, the Safety Sensitive employee may be temporarily reassigned to duties requiring a lesser safety awareness level if such duties are available.

All doctor's statements and related medical information shall be confidential and maintained in a separate medical file in the office of the County Judge-Executive.

- (1) Testing positive for any of the prohibited substances during the performance of or upon being immediately available to perform work responsibilities.
- (2) The performance of or being immediately available to perform Safety Sensitive work responsibilities while using any controlled substance, except when the use is under the instructions of a physician who has advised that the use will not adversely affect the Safety Sensitive user's ability to safely perform Safety Sensitive responsibilities as assigned.
- (3) In the case of Safety Sensitive employees, having in possession, drugs or controlled substances except when the use is under the instructions of a physician who has advised that the use will not adversely affect the Safety Sensitive user's ability to safely perform Safety Sensitive responsibilities as assigned during the performance of or being immediately available to perform Safety Sensitive work responsibilities.

NOTE: EMS and Law Enforcement personnel functioning within the scope of their assigned duties shall be considered exempt from this prohibition as deemed necessary by their respective department heads.

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**Section 5.52: Drug Free Workplace
Drug and Alcohol Free Workplace – Substance Abuse Policy**

- (4) Refusal (as defined elsewhere in this policy) to cooperate with any of the requested testing types.
- (5) Tampering with or attempting to alter, or actual altering of a test specimen is strictly prohibited and is grounds for immediate termination from employment with the CCFC.

Volatile Substances

The intentional misuse, manufacture, sale, distribution, dispensation, or possession of a volatile substance as defined in KRS 217.900 which includes any glue, cement, paint or other substance containing a solvent or chemical having the property of releasing toxic vapors or fumes which when intentionally inhaled may cause a condition of intoxication, inebriation, stupefaction, dulling of the brain or nervous system, or distortion or disturbance of auditory, visual, or mental processes while at work, while on CCFC property, or while conducting CCFC business while off CCFC property, is strictly prohibited and is considered cause for immediate discipline, up to and including termination.

Consequences

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may reapply after six months and must successfully pass a pre-employment drug test.

If an employee violates the policy, he or she will be subject to progressive disciplinary action up to immediate termination of employment and may be required to enter rehabilitation. An employee required to enter rehabilitation who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Return-to-Work Agreements

Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

Assistance

Alcohol and drug abuse and addiction are recognized as diseases responsive to proper treatment. The CCFC provides a level of care through its Employee Assistance Program (EAP) provided. It also realizes that early intervention and support improve the success of rehabilitation. To support the employees, CCFC's Drug-Free Workplace Policy:

- (1) Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.

Chapter 5: Personnel Administration

**Section 5.52: Drug Free Workplace
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- (2) Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Employees who voluntarily report a substance abuse problem prior to being required to take a controlled substance or alcohol test as defined in this policy, will not be subject to disciplinary action if they voluntarily and conscientiously seek substance abuse assistance and agree to a treatment plan. However, such an employee must understand that if the problem is not corrected and satisfactory job performance is not maintained, he or she will be subject to disciplinary action up to and including termination of employment. Failure to seek such assistance, or failure to abide by the terms of the treatment plan, shall be grounds for termination. Upon voluntarily reporting a substance abuse problem, the employee will be required to sign a Substance Abuse Treatment Plan Return-to-Work Agreement Form that will further define conditions of continued employment.

Confidentiality

All information received by CCFC through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

CCFC shall maintain records and documents of all alcohol and drug test results, schedules for follow-up tests and records relating to evaluation and referrals. These records shall be maintained for a period of at least five (5) years. CCFC shall provide test result information or other pertinent information relating to an applicant or existing employee's alcohol or controlled substance tests upon the applicant or existing employee's written request, and shall do so within five (5) working days of being notified of the request.

Policy Administration and Enforcement

It shall be the responsibility of the County Judge-Executive to administer and enforce this policy. This policy and its programs are not to be interpreted or modified by any other Court supervisor or director.

Responsibility

While it is ultimately CCFC's legal, ethical, and moral responsibility to create and maintain a safe and productive drug-free workplace for its employees, and the citizens of County, such safety is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- (1) Be concerned about working in a safe environment.

Chapter 5: Personnel Administration

**Section 5.52: Drug Free Workplace
Drug and Alcohol Free Workplace – Substance Abuse Policy**

- (2) Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- (1) Inform employees of the drug-free workplace policy.
- (2) Observe employee performance.
- (3) Investigate reports of dangerous practices.
- (4) Document negative changes and problems in performance.
- (5) Counsel employees as to expected performance improvement.
- (6) Clearly state consequences of policy violations.

Communication

Communicating the drug-free workplace policy to both supervisors and employees is critical to its success. To ensure all employees are aware of their role in supporting CCFC's drug-free workplace program:

- (1) All employees will receive a written copy of the policy.
- (2) The policy will be reviewed in orientation sessions with new employees.
- (3) The policy and assistance programs will be reviewed at safety meetings.
- (4) Every supervisor will receive training to help him/her recognize and manage employees with alcohol and other drug problems.

NOTE: The County Fiscal Court may change, modify, amend or rescind any part of this policy at any time that deals with the actual administration of the policy itself. However, changes may not be made to the policy that would circumvent any requirements associated with 803 KAR 25:280.

Chapter 6: County Road Department

Section 6.1: Establishment of Department

- A. There is hereby created and established a Crittenden County Road Department consisting of a County Road Engineer or County Road Supervisor and such other employees of said department as may from time to time be provided for by the County Judge and the Fiscal Court.
- B. The County Road Engineer/Supervisor shall be appointed by the County Judge with the approval of Fiscal Court, and shall serve a period of one (1) year. This position is reviewed annually and renewed according to the recommendation of the Judge Executive and based on approval of the Crittenden County Fiscal Court.

Chapter 6: County Road Department

Section 6.2: Duties of Road Supervisor

- A. The road supervisor shall have the authority to order gravel and make repairs on road crossings, which need immediate attention. Further, for the ordinary day-to-day maintenance of gravel roads, the ordering of all rock shall be within the discretion of the Road Supervisor. However, upon the request by any Magistrate for rock or other work, the Road Supervisor shall make a determination as to whether and when the work will be done and will then report his decision to the Magistrate. If the requesting Magistrate and the Road Supervisor cannot agree as to the Road Supervisor's decision on the project, then each must report to the Judge Executive. A meeting will then be scheduled so that the Magistrate, Road Supervisor, and Judge Executive can discuss and resolve the issue. If any are dissatisfied with the resolution, the matter will then be presented to the Fiscal Court at the next regularly scheduled meeting for a decision.
- B. The Road Supervisor or the Judge Executive will advise the Magistrates of any project being considered which will impact the road program, either financially or by extensive use of equipment or manpower, before the upcoming court meeting so that each may familiarize himself/herself with the circumstances. Such major projects, such as chip and seal, blacktop, or extensive work with leased equipment, shall be approved in advance in open court where practical. The purchase order for such a project shall be approved by the Judge Executive. The Road Supervisor will advise the vendor(s) of exactly what work is ordered, obtain an estimate of cost of such project, and establish reasonable start and completion dates.
- C. The Road Supervisor will compile and summarize monthly records of work performed by the road department employees, road equipment, leased equipment, and applications of materials to county roads into a monthly report. Copies of each monthly report shall be furnished to members of the Fiscal Court on or before the next following court meeting.

Chapter 6: County Road Department

Section 6.3: Road Department Property

- A. Employees of the department shall be responsible for the proper care of department equipment and property and shall promptly report to their supervisor the loss or damage to such property or the unserviceable condition of such property.
- B. No departmental property or equipment shall be used for private purposes or on private property. School bus turnarounds and public cemetery work must be approved, in advance, by the County Judge and only where the turnaround or cemetery road has been placed in the County road system.
- C. Equipment and materials for the road department shall be acquired in accordance with the provisions of this code.
- D. No departmental property or equipment shall be used on private property for any reason.
- E. Uniforms are furnished to employees of the Road Department by the County. Road Department employees shall wear said uniforms at all times during regular working hours.
- F. Each employee shall be responsible for the proper use of road department equipment. Any equipment problems or deficiencies should be reported immediately to the County Road Engineer/Supervisor. Trucks and equipment shall be cleaned at least once a week or more often as such need arises.

Chapter 6: County Road Department

Section 6.4: County Road Inventory / Condition

- A. The County Judge shall maintain a map(s) that clearly identifies all county maintained roads.
- B. The County Judge and County Road Engineer/Supervisor shall inventory and review all county roads for identification and condition at least annually.
- C. The inventory shall identify all roads by name and/or number; list the number and location of all bridges; and any other information that may identify county roads and the condition thereof.
- D. The County Road Engineer/Supervisor shall contact all area utilities relative to their planned activities prior to surfacing or resurfacing any county road.

Chapter 6: County Road Department

***Section 6.5: Procedures for County Road
Repairs and Maintenance***

- A. Each magistrate shall inspect roads in his district periodically to determine needs.
- B. Each magistrate shall file a road report with the County Road Engineer/Supervisor, including, but not limited to, the following information:
 - (1) Road name and number;
 - (2) Description of work to be performed;
 - (3) Any additional information, which shall be deemed necessary.

Chapter 6: County Road Department

Section 6.6: Miscellaneous Requirements

- A. Any Road Department employee who notices any deficiencies in county roads shall report them to the County Road Engineer/Supervisor as soon as possible and no later than the end of the same workday. Any problems noticed during off duty hours shall be reported to the County Road Engineer/Supervisor the following workday.

Chapter 6: County Road Department

**Section 6.7: Guidance for Obtaining a
Commercial Driver License (CDL)**

Adopted 02/18/2021

- A. Although it is not required to have a valid CDL to obtain employment with the Crittenden County Road Department it is suggested that all capable employees make every effort to do so.
- B. To encourage employees of the Road Department to obtain a valid CDL, the County will pay for said employee to take the CDL permit test once said employee has successfully completed the study guide provided and exhibits the capability and confidence to pass the permit test. Competency and capability shall be determined based on the employee's ability to answer basic sample questions asked by the Supervisor or his/her delegate. The County Treasurer must be notified in advance of testing to ensure payment is available. Therefore, the Road Department Admin Clerk shall coordinate with the County Treasurer at least one week in advance of scheduling all CDL related tests to ensure payment can be made.
- C. Should said employee successfully pass the CDL permit test the County will pay for the CDL permit license which also includes the CDL driving test fee.
- D. Should said employee fail to successfully pass the CDL permit test, basic knowledge section, there would be no additional fee for retesting. Should said employee pass the basic knowledge section yet fail any endorsements for which they may be testing there is a fee to retest the endorsements. Should this occur the employee shall pay for any retest fees and upon passing the employee shall be reimbursed up to one (1) retest fee.
- E. Once an employee has successfully received their CDL permit they will be provided ample opportunity to drive Road Department trucks to obtain the utmost experience prior to taking the CDL driving test. Other Road Department CDL drivers will be made available to assist permitted drivers and train them on the requirements of successful passage of the CDL driving test. Once the permitted driver feels confident they can pass the CDL driving test the Road Department Admin clerk shall schedule a driving test for said employee.
- F. Should the employee fail the CDL driving test for reasons other than mechanical/equipment problems, the employee may retest as many times as they wish to try and successfully pass the CDL driving test. However, each subsequent CDL driving test fee shall be paid by the employee and said employee shall be reimbursed up to one (1) retest fee upon successful passage. If failure is based on mechanical/equipment problems the County shall pay for retest needs that result from those issues.
- G. Upon successful passage of the CDL driving test the County will pay for the employee's initial CDL license fee and all subsequent CDL renewals while employed by the County Road Department. To ensure payment is available, all CDL employees shall notify the County Treasurer at least one week in advance of

Chapter 6: County Road Department

**Section 6.7: Guidance for Obtaining a
Commercial Driver License (CDL)**

Adopted 02/18/2021

required renewal payment. The County will also pay for all CDL physicals necessary (on a reimbursement basis) while employed by the County Road Department and the CDL remains valid.

- H. Should the employee not be successful in passing the CDL driving test and said employee decide they do not wish to pursue a CDL their employment status may be adjusted as deemed proper by the Road Supervisor, County Judge Executive, and/or Fiscal Court. If said employee's employment status was based on obtaining a valid CDL the employee may be relieved from employment.

**Section 6.8 Erosion Control and
Bank Stabilization Policy**

Adopted June 17, 2021

The following policy is hereby put in place per Perry A. Newcom, Judge Executive of Crittenden County, and Magistrates regarding the objectives of the maintenance of our road systems as it relates to erosion control and bank stabilization. After a thorough review of county roads within Crittenden County it has been determined that many of our poor road conditions are a result of issues resulting from erosion and bank instability. Therefore, the following plan is to be put in place immediately:

- There will be an annual review of all roads within the County Road system by the Judge Executive, Road Supervisor, and Magistrate if available.
- The review will note any and all recognized erosion and/or bank stabilization issues found.
- This list of issues will be maintained throughout the year and work to alleviate the issues identified will be done on a prioritized basis.
- Once an issue is resolved it will be noted and the work will be reviewed by the Judge Executive and the Magistrate if available.
- Erosion control and bank stabilization may consist of placing Channel Lining in areas of consistent trouble along with concreting over the Channel Lining where deemed necessary.
- All areas that result in the removal of sod will be reseeded and have straw or straw blankets installed to eliminate the threat of further erosion until such time that allows the seed to germinate and grow.
- All this work will be a long-term project as it is obvious that attention to erosion control efforts and bank stabilization needs have been unattended for an extended period of time.

The goal of this process is to provide the highest level of erosion control and bank stabilization as possible to preserve the integrity of our road system. This process will ultimately provide for the overall safety of our roads and will help provide the utmost safety to the citizens that we serve. Thank you all for your part in achieving the goals of this policy.

Chapter 6: County Road Department

Section 6.9 Road Ditching and Drainage Policy

Adopted June 17, 2021

The following policy is hereby put in place per Perry A. Newcom, Judge Executive of Crittenden County, and Magistrates regarding the objectives of the maintenance of our road systems as it relates to drainage and ditching. After a thorough review of county roads within Crittenden County it has been determined that many of our poor road conditions are a result of base issues and/or little to no ditching and drainage ability. Therefore, the following plan is to be put in place immediately:

- There will be an annual review of all roads within the County Road system by the Judge Executive, Road Supervisor, and Magistrate if available.
- The review will note any and all recognized base failures and ditching or drainage issues found.
- This list of issues will be maintained throughout the year and work to alleviate the issues identified will be done on a prioritized basis.
- Once an issue is resolved it will be noted and the work will be reviewed by the Judge Executive and the Magistrate if available.
- Ditching will be accomplished annually by means of the hydraulic ditcher attachment for the boom mower tractor and will consist of clearing out debris from the base of all ditches. The Road Supervisor will assign all work as deemed necessary by the Magistrate's of each district.
- Further ditch work will be accomplished by the use of the road grader by pulling the ditches to the road. All debris pulled to the road will be loaded by the backhoe onto trucks and hauled to the county debris dumpsite. This will ensure that ditches remain in a workable state and prevent silting in over time.
- All this work will be a long-term project as it is obvious that attention to our ditching, drainage, and road base structures have been unattended for an extended period of time.

The goal of this process is to provide the highest level of ditching and drainage possible to preserve the integrity of our road system. This process will also ensure that base issues are dealt with prior to the approval of new pavement on our county road system, which in turn will extend the longevity of our asphalt roads providing the utmost safety to the citizens that we serve. Thank you all for your part in achieving the goals of this policy.

Chapter 6: County Road Department

**Section 6.10 Bridge Abutment / Approach and
Drain Tile Retention Policy**

Adopted June 17, 2021

The following policy is hereby put in place per Perry A. Newcom, Judge Executive of Crittenden County and Magistrates, regarding the objectives of maintaining our road systems as it relates to bridge abutment/approach maintenance as well as drainage tiles and retention thereof. After a thorough review of county roads within Crittenden County it has been determined that many of our bridge abutment/approach and drainage tile issues are a result of failing retention systems that are currently in place. Many of the bridges throughout Crittenden County have been found to have either sheet piling or post and crib type retention systems in place and most drainage tiles simply have channel lining or other limestone aggregate as retention. Given light of the frequency of more flood events and heavier rains these systems are failing and therein jeopardizing the safety of the public as well as the integrity of the bridge and tile structures themselves. Therefore, the following plan is to be put in place immediately:

- 1) There will be an annual review of all bridge inspection reports and findings. Any findings will be addressed as soon as feasibly able to do so unless the findings restrict the bridge capacity such that it limits safe travel in which circumstances would dictate a more rapid response.
- 2) There will be a continued effort annually to identify and address drainage tile that are failing or collapsing and replace those as feasibly able or necessitated by complete failure.
- 3) Upon identification and need for complete replacement or upgrade of bridge abutment/approach areas the county will henceforth refrain from the post and crib systems completely. In the place of post and crib systems a foundation and concrete retaining abutment system will be put in place to ensure long term stability and safety.
- 4) Bridge abutment/approach systems that are currently sheet piling will be assessed on an individual basis. Should it be deemed that the sheet piling has deteriorated significantly enough to warrant replacement the afore mentioned concrete abutment/approach system will be utilized. Should it be deemed the sheet piling system can be repaired and that would be more feasibly achieved then the decision will be to repair and continue as is.
- 5) Upon identification of drainage tile failure or deterioration the replacement may include a retention system of channel lining sized to meet the need of the specific location. If channel lining had been used prior to replacement and had failed, then the process of retention may be made to include grouted channel lining with an amount of concrete deemed necessary to ensure further damage and erosion is negligible. In large tile and ditch situations a decision may be made to provide concrete abutments as deemed necessary.
- 6) All afore mentioned assessments for work will be done prior to the application of new asphalt or chip and seal on selected county roads. This will ensure new asphalt or chip and seal will not be destroyed for repair needs after being put in place.

Chapter 6: County Road Department

**Section 6.10 Bridge Abutment / Approach and
Drain Tile Retention Policy**

Adopted June 17, 2021

The goal of this process is to provide the highest level of bridge and drainage tile retention processes possible to preserve the integrity of our road system. This process will also ensure that drainage and approach issues are dealt with prior to the approval of new pavement on our county road system, which in turn will extend the longevity of our asphalt roads providing the utmost safety to the citizens that we serve. Thank you all for your part in achieving the goals of this policy.

Chapter 6: County Road Department

Section 6.11 Road Name Change Policy

Adopted October 20, 2022

Amended March 23, 2023

Per KRS 179.330 every county road shall be known by the name by which it was designated on the map or plat or record in the office of the county clerk or by the order of the fiscal court when the road was established.

The name of the road can only be changed by an order of the county judge/executive. Such order may be issued:

- A) On a petition and proceeding in which fifty percent (50%) or more of the property owners abutting upon the road have joined in the petition or have been summoned for a hearing upon the petition by the county judge/executive at a day and time designated for the hearing. On similar proceeding an order may be issued designating a name for any unnamed road in the county.
- B) Upon request from the United States Postal Service due to reasons stated from this agency.
- C) Upon request from the Kentucky Department of Transportation due to reasons stated from this agency
- D) Upon request from 911 due to reasons stated from this agency.

The fiscal court may cause signs bearing the name of each road as fixed by the county judge/executive to be placed on the roads, or it may, by a resolution duly recorded, authorize any person or organization to erect signs, approved as to form by the fiscal court, bearing the name designated to the road by the county judge/executive.

Chapter 7: County Property

Section 7.1: County Property

Amended January 21, 2021

- A. Any employee found to have damaged county property may be subject to discipline, up to and including dismissal.
- B. The County Judge 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 County Judge's office at least annually.
- C. 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 same to his/her supervisor.
- D. It shall be the general policy of the Crittenden County Fiscal Court to establish a budget appropriation, annually, for the purpose of funding a reward appropriation. This appropriation will be funded at an appropriate level to be determined by the budget committee for the purpose of offering a cash reward of up to One Thousand Dollars (\$1,000.00) to anyone providing information leading to the arrest and conviction of any individual or group that is responsible for theft or vandalization of any County owned, leased, or rented property. The specific amount of reward per occurrence shall be at the discretion of the County Judge Executive and should be based on considerations of value and severity in consultation with the County Attorney.

Chapter 8: Purchases and Contracts

Section 8.1: Authorization of County Contracts

- A. Every contract, change or amendment thereto, shall be authorized or approved by the Fiscal Court before being executed by the County Judge, except for small purchases. The County Attorney shall review every contract of the County, as to form and legality, except for contracts for small purchases.

Chapter 8: Purchases and Contracts

***Section 8.2: Selection of Vendors and Contractors
(Procedures for Sealed Bidding)***

- A. The agency, department or person requiring supplies, services or construction shall submit to the County Judge a request containing specifications and quantities desired.
- B. The County Judge shall determine the need for each item requested, the approximate cost and whether or not the expenditure is provided for in the budget.
- C. Any expenditure or contract for materials, supplies (except perishable meat, fish, and vegetables), equipment, or for contractual services other than professional, involving an expenditure of more than twenty thousand dollars (\$20,000) shall be subject to competitive bidding.
- D. The County Judge shall place an advertisement in the newspaper of the largest circulation in the County at least once, not less than seven (7) nor more than twenty one (21) days, before bid opening. The advertisement shall include the time and place where the specifications may be obtained. If the durability of the product, the quality of service or other factors are to be considered in bid selection, such factors shall be stated in the advertisement.
- E. The County Judge shall open all bids publicly at the time and place stated in the advertisements and shall select the lowest and/or best bid by qualified bidder to be recommended to the fiscal court for approval. If the lowest bid is not selected, the reasons for the selection shall be stated in writing.
- F. The County may opt to allow bidders to submit their bids electronically if specified in the advertisement. The e-mail subject line shall acknowledge that the e-mail contains a sealed bid responsive to the particular advertisement. The e-mail shall be opened in accordance with Section 9.2(E). Any bid submitted via e-mail that does not include in the subject line information sufficient for the recipient to know that the e-mail contains a sealed bid shall not be considered by the County.
- G. The County may utilize the reverse auction process in the selection of, vendors and contractors.
- H. The County Judge shall submit the bids to Fiscal Court, noting the County Judge's recommended bid. Fiscal Court approval is required.

Chapter 8: Purchases and Contracts

***Section 8.3: Procedures for Determination of
Qualification of Bidders)***

- A. The County Judge may require all bidders to provide sufficient information to determine their qualification to provide the services or product that is the subject of the competitive bidding.
- B. Contractors who have demonstrated, by past performance, the ability to perform satisfactory in accordance with the contracts on a timely basis and have shown a sound financial structure, may be determined to be qualified and responsible bidders without additional documentation otherwise required of other potential bidders.
- C. All successfully accepted bidders shall provide proof of sufficient liability insurance one million dollars (\$1,000,000.00) minimum, workers compensation insurance, both Federal and State Employers ID numbers, and applicable business licenses required by the County of Crittenden and the City of Marion.

**Section 8.4: Procedures Prerequisite to
Use of Negotiated Process**

Amended June 20, 2019

Amended June 15, 2023_

- A. **Effective July 1, 2023** the negotiated process may be used instead of advertisement for bids if the amount exceeds ~~\$30,000~~ **\$40,000** in the following circumstances:
- (1) an emergency exists;
 - (2) bids exceed available funds; or
 - (3) the contract is for professional services.
- B. Before an emergency is declared, the County Judge shall determine whether or not the delay in obtaining bids will result in danger to health, safety or property.
- C. The County Judge shall certify the existence of any emergency and file a copy of such certificate with the chief financial officer of the County (the Treasurer).
- D. In the event all bids submitted are in excess of funds available, the County Judge shall prepare a written determination that there are no additional funds available as to permit an award to the responsible bidder with the lowest and best bid and that delay in advertising for additional bids is not in the best interest of the County.
- E. The Fiscal Court must approve all circumstances in which the negotiation process is used.

NOTE:

Only use the negotiated process in this manner when time is truly of the essence as this method could lead to litigation. Should a County wish to use the negotiated process with greater protection from litigation, a County should consider adopting the local government portion of the Model Procurement Code (currently KRS 45A.343-45A.460).

Chapter 8: Purchases and Contracts

Section 8.5: Procedures for Negotiated Process

- A. When the prerequisites have been met for use of the negotiated process, the County Judge shall proceed to negotiate with one or more suppliers in order to obtain the most advantageous terms for the County.
- B. The County Judge shall prepare a record of all negotiated contracts, showing the items and quantities acquired, name of suppliers, costs and date of contract.
- C. Professional services shall be negotiated with such persons as are properly licensed to perform such services.
- D. Where more than one bid was received and all were in excess of the amount available, the lowest three 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.
- E. The County Judge shall examine the proposals received and shall negotiate with the suppliers for the terms most advantageous to the County.
- F. The best negotiated proposal shall be submitted to the Fiscal Court for approval and award.

Chapter 8: Purchases and Contracts

Section 8.6: Small Purchase Procedures

Amended June 20, 2019

- A. All expenditures of less than ~~\$20,000~~ **\$30,000** shall be considered a “small purchase” and are not subject to competitive bidding.
- B. The County Judge determines the need for any item requested, and whether or not the contract is for less than ~~\$20,000~~ **\$30,000** and the expenditure is provided for in the budget.
- C. For all “small purchases” exceeding ~~\$1,000~~ **\$5,000**, the County Judge shall obtain three quotes from prospective suppliers or vendors, prior to the purchase and then select a purchase most advantageous to the County, in the judgment and discretion of the County Judge.

Chapter 8: Purchases and Contracts

Section 8.7: Hold Harmless Clause

- A. All contracts executed on behalf of the County concerning the purchase of services or products may contain a “hold harmless clause,” whereby the vendor, provider of services, or seller agrees to hold the County harmless from any liability concerning the use of their product or the receipt of their service.

Chapter 8: Purchases and Contracts

***Section 8.8: Storage and Inventory Control
(Procedures for Receiving, Storing and
Disbursing Repetitive use items***

- A. The inventory file shall contain an item inventory number, item description, date purchased, condition, purchase amount and office assigned for use

Chapter 8: Purchases and Contracts

Section 8.9: Disposition of County Surplus Property

Amended June 20, 2019 to reflect changes by HB335

A. Real Property:

- (1) In the event the County Judge determines that the County retains surplus real property and that it will be in the best interest of the County to dispose of said real property, the County Judge shall make a written statement with the following information:
 - i. The real or personal property;
 - ii. Its intended use at the time of acquisition;
 - iii. The reasons why it is in the public interest to dispose of it; and
 - iv. The method of disposition to be used.
- (2) The property may be transferred via the following method:
 - i. Transferred, with or without compensation, to another governmental agency;
 - ii. Sold at public auction following publication of the auction in accordance with KRS 424.130(1)(b);
 - iii. Sold by electronic auction following publication of the auction, including the uniform resource link (URL) for the site of the electronic auction, in accordance with KRS 424.130(1)(b); or
 - iv. Sold by sealed bids.
 - v. Transferred, with or without compensation, for economic development purposes, which shall include but not be limited to real property transfers for the elimination of blight;
 - vi. Traded towards the acquisition of the same or similar type of property if the value of the property the county is receiving in exchange equals or exceeds the actual fair market value of the property it traded as determined using an independent appraisal;
 - vii. 1.) Sold for its appraised fair market value or a greater amount if the property is valued at five thousand dollars (\$5,000) or less in an independent appraisal without using the procedure set out in paragraph (iv) of this subsection.
2.) Property sold under this paragraph shall not be sold to a county officer or employee;
 - viii. Sold for scrap or disposed of as garbage, of which road millings and dirt may be considered as such, in a manner consistent with the public interest if the property has no value, or is of a nominal value as determined by an independent appraisal; or
 - ix. Sold by the Finance and Administration Cabinet under an agreement with the county.
- (3) The aforementioned statement shall be submitted to the Fiscal Court for their action.
- (4) In the event there are no bids for the property, the property shall be sold by the County Judge in the best interests of the County. No County real property shall be sold on a negotiated basis for less than the appraised value.

B. Tangible Property:

Chapter 8: Purchases and Contracts

Section 8.9: Disposition of County Surplus Property

Amended June 20, 2019 to reflect changes by HB335

- (1) The County office, agency, or person to which responsibility has been assigned by the County Judge to use and take care of a particular tangible item or items will notify the County Judge that a particular item is no longer needed or serviceable. The County Judge shall inquire of other County offices to determine if they have need of, or want to use, the item.
- (2) If no use for the property can be found, the property shall be disposed of in the same manner as Real Property except that no appraisal is required.

Chapter 9: Boards and Commissions

***Section 9.1: Maintenance of Records of
Administrative Agencies and County***

- A. All agencies which receive county funding shall file a copy of the agency's annual budget with the County Judge. It shall also adhere to the required filings pertaining to all SPGE's. It shall also file a copy of each audit required by law with the County Judge and the Crittenden 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. All financial information shall be available for presentation to the Crittenden County Fiscal Court upon request.

Chapter 9: Boards and Commissions

Section 9.2: 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. All agency boards shall ensure a quorum is met for the conduct of official business.
- C. A record of all motions on official actions taken by the agency shall be kept and made available to the County Judge upon request.

Chapter 10: Special Districts

Section 10.1: Procedures for Creation and Dissolution

- A. A special district may be created in accordance with applicable statutory law, including KRS Chp. 65A. A special district may be combined with another district or dissolved in accordance with KRS Chp. 65A, KRS Chp. 67 or other applicable provision.

Chapter 10: Special Districts

Section 10.2: Appointments and Removal

- A. Special district board members may be appointed or removed in accordance with applicable statutory law.

Chapter 11: County Services

***Section 11.1: Public Works Department
(Road Department)***

- A. The Public Works Department shall be responsible for the maintenance, construction, and upkeep of all roads and bridges in the County Road System, and the construction, maintenance, and assist in the upkeep of the County parks and recreational areas. The County Road Engineer/Supervisor shall head this Department.

Chapter 11: County Services

Section 11.2: County Road System

- A. The Fiscal Court shall designate by Resolution which roads in the County will be on the County Road System and maintained by the Public Works Department. Those roads so designated shall include for County maintenance all appurtenant bridges, side ditches, headwalls, culverts, guard rail systems, and traffic control devices unless specifically excluded by an agreement.

Chapter 11: County Services

Section 11.3: Parks and Recreation

- A. To provide an adequate amount and variety of recreational opportunities to satisfy the full range of needs of the population. The provision of recreation services by the Fiscal Court shall be through joint efforts of the City of Marion and the County through the formation of the Marion-Crittenden County Park Board.

Chapter 11: County Services

Section 11.3.a: Parks and Recreation – Riverview Park

Adopted May 20, 2021

Crittenden County Riverview Park Policies and Procedures

Name and Purpose:

Section 1. The name of the park shall be the Crittenden County Riverview Park.

Section 2. The county shall provide oversight and management of the premises now known as Riverview Park and shall establish a Parks and Rec Committee that shall provide regular and consistent communication with the Fiscal Court accordingly. The Committee may also solicit and accept community volunteers who shall be appointed to the Committee upon submittal to the Fiscal Court for approval.

Parks and Rec Committee:

Section 1. Selection of members and term of appointment:

- A. The County Judge Executive shall have the option to be a part of the Committee or appoint someone in his/her place to represent the interests of the County Judge Executive. The County Judge Executive or his/her appointee shall serve on the Committee while during time as an elected official only and will not rotate on and off the Committee as required of the other appointed members described later in this section.
- B. The Committee shall include no greater than ten (10) members, nine (9) of which shall serve a three (3) year term each and shall be appointed by the Crittenden County Fiscal Court. The tenth (10th) member shall be the County Judge Executive or his/her appointee.
- C. Appointments shall be made annually for three (3) members of the Committee which will allow three (3) new members to the Committee per year.
- D. After completion of a three (3) year term, a Committee member shall remain off the Committee for at least one (1) year prior to being reappointed as a Committee member.
- E. Should a Committee member be appointed to complete an un-expired term of service to the Committee and, that appointee has served eighteen (18) months or less, they may be considered for immediate re-appointment to the Committee for a full three (3) year term.
- F. Upon approval of these policies and procedures, a total number of nine (9) appointees shall be made by the Crittenden County Fiscal Court. These nine (9) appointees shall have an organizational meeting at which time officers shall be selected as described in Section III. These nine (9) shall also determine the three (3) among them who will serve a one (1) year term, the three (3) among them who will serve a two (2) year term, and the three (3) among them who will serve a full three (3) year term. This will ensure the proper rotation of Board members is achieved. The County Judge Executive or his/her appointee shall not serve as an officer.
- G. The Committee members shall serve without compensation, neither monetary nor in-kind considerations.

Section 2. Removal of Committee members:

- A. Any Committee member may be excluded from serving on the Committee for being absent three consecutive regular meetings without good cause. Any such removal shall require a 2/3 vote of the total membership of the Committee and shall be presented to the Crittenden County Fiscal Court for final approval.

Chapter 11: County Services

Section 11.3.a: Parks and Recreation – Riverview Park

Adopted May 20, 2021

Officers

Section 1. The Committee shall have the following Officers, each with stated responsibilities:

- A. Chairperson – Shall be responsible for presiding over all meetings both regular and special called. Shall ensure all park functions are accomplished per Policy and Procedures established in coordination with the Crittenden County Fiscal Court and, ensure all members of the Committee are aware of all parks related business. Shall establish committees as deemed necessary to effectuate the goals of the Committee and the Park which shall be approved by a majority of Committee members present. Shall have a tie break vote should there ever be a tie vote. Shall provide leadership and advocacy on behalf of the park and all patrons of the facility. Shall help determine necessary improvements and prioritize within an annual budget established in coordination with the Crittenden County Fiscal Court Budget Committee.
- B. Vice-Chairperson – Shall act as Chairperson in their absence and adhere to the responsibilities of the office of Chairperson according to these Policies and Procedures.
- C. Secretary – Shall record all meeting minutes and provide public notice of meeting dates and times in the local media as required to meet the Open Meetings/Open Records statute. Shall make available meeting minutes to the Committee for approval and submit those approved minutes to the Crittenden County Fiscal Court for records.

Section 2. Eligibility:

- A. Officers shall be approved by the Crittenden County Fiscal Court upon submittal by the Committee and shall serve one-year terms, subject to re-election until their term on the Committee ends. All Committee officers shall be submitted annually to the Crittenden County Fiscal Court for approval prior to the Month of June.

Section 3. Removal of Officers:

- A. An officer may be removed at any time by a 2/3-majority vote of the total membership of the Committee and shall be presented to the Crittenden County Fiscal Court for final approval.

Accounting, Budgeting, and Operations

Section 1. Accounting and Budgeting:

- A. A bonded member of the Crittenden County Fiscal Court staff shall be responsible for collecting site rental revenue daily or when campers are present and, shall submit all receipts to the County Treasurer for deposit.
- B. The Committee Chair shall work with the County Budget Committee each year to prepare the annual budget of operations for the Park.
- C. The Committee shall communicate the need for any repairs, purchases, or other related issues the Park should have need for to ensure appropriate action is taken by Crittenden County Fiscal Court maintenance personnel or contracted services.

Section 2. Operations:

- A. A Committee member shall be appointed by the Board Chairperson to ensure site rental agreement forms are kept in supply at the park.
- B. The Committee shall establish a reservation system for all camp sites and ensure patrons are paying for specific number of days reserved and utilized.

Chapter 11: County Services

Section 11.3.a: Parks and Recreation – Riverview Park

Adopted May 20, 2021

- C. The Crittenden County Fiscal Court shall establish a rental fee structure for all improved and unimproved camp sites. The fee structure shall be approved by majority vote of prior to implementation.
- D. The Committee shall be responsible for changing the site locks after each camper vacates a site prior to the arrival of the next camp visitor to said site. This will ensure locks are not kept with the same combination continually on each site.
- E. The Committee shall inventory the improvements and property within the park and ensure all property is accounted for on an annual basis.
- F. The Committee shall solicit both public and private partners to aid in improvement projects and/or provide financial support as deemed necessary.
- G. The Committee shall coordinate and accomplish park improvement and maintenance projects withing the approved budget that will ensure the park is kept viable and safe for all patrons.
- H. The Committee shall establish a strategic plan that shall serve as a guide for future plans and adjust the plan periodically as deemed necessary.

Meetings

Section 1. Annual Meetings:

- A. An annual meeting shall be held in conjunction with the regular fourth quarter meeting each year for the purpose of suggesting Committee members to the Crittenden County Fiscal Court and electing officers. This meeting will be called by the Chairperson of the Committee and published according to the Open Meetings/Open Records State statute.

Section 2. Regular Meetings:

- A. Regular meetings will be established at a time, place, and date designated by the Committee and meet at a minimum of once per quarter; with the year operating on the Fiscal year beginning July 1 through June 30 each year.

Section 3. Special Meetings:

- A. Special meetings may be called by the Chairperson or a 2/3 majority of the Committee by a signed petition presented to the Chairperson.

Section 4. Notice of Meetings:

A reminder notice of regular meetings, annual meetings, or special meetings shall be given by phone, mail, email, or text to all Committee members a minimum of 24 hours prior to the meeting time by the Committee Secretary. Meeting times shall be published in the local media a minimum of 7 days prior to a regularly scheduled meeting. Special meetings shall be given 7 days' notice if possible or, at least 24 hours' notice, to the local media for publication or announcement.

Section 5. Quorum:

A quorum shall consist of 2/3 of the Committee membership.

Section 6. All meetings of the Committee shall be open to the public.

Chapter 11: County Services

***Section 11.4: Contents of Planning and
Subdivision Regulations***

- A. The County may provide for comprehensive planning and the implementation of subdivision guidelines.
- B. Building and Electrical Inspections, as required by state law, shall be provided by the Fiscal Court through contract with duly appointed inspectors.

Chapter 11: County Services

Section 11.5: Pauper Burials / Cremation

Adopted May 23, 2019

- A. The County may provide funds for a Pauper Burial/Cremation under the following circumstances:
 - (1) Proof is shown that the deceased was a resident of Crittenden County at the time of death and had resided in the County for at least five (5) continuous years preceding the date of death;
 - (2) Services must be provided by a Crittenden County Funeral Home;
 - (3) Burial, if not cremation, shall take place in Crittenden County; and
 - (4) The allocated cost shall be no more than \$1000
- B. The local funeral home requesting a Pauper Burial / Cremation shall provide attested verification of the above facts before requesting funds.
- C. The County may fund the burial/cremation in its discretion and based upon available funds.

Chapter 11: County Services

Section 11.6: Marion Convenience Center

Adopted June 2021

- A. The County will operate a Solid Waste Convenience Center to allow a local dump site for the Residents of Crittenden County and surrounding counties.
- B. This site will be staffed Monday through Friday (8:00 am – 3:30 pm) and Saturday (8:00 am – 12:00 noon).
- C. Dump Fees will be collected at time of service in accordance with the approved fee schedule.

**Marion Convenience Center
Fee Schedule
Effective July 1, 2021**

Household Waste

Per Bag Price

13 gallon or smaller	\$1.00 each
Greater than 13 gallon to 35 gallon	\$2.00 each
Greater than 35 gallon.....	\$5.00 each

Trash Can or Barrel	\$7.00 each
Load	\$0.30 per cubic foot (LxWxH)

Other Material

Mixed Load	\$0.45 per cubic foot (LxWxH)
Construction Debris	\$0.50 per cubic foot (LxWxH)
Asphalt Roofing	\$1.00 per cubic foot (LxWxH)

Recliners / Chairs	\$8.00 each
Sofa / Loveseat.....	\$12.00 each
Bedding	\$15.00 each

Chapter 12: County Issued Electronic Devices, Internet & Email Policy

**Section 12.1: Acceptable Uses of the Internet,
County E-mail, & County Issued
Electronic Devices**

Chapter 12 Amended August 17, 2017 to include Electronic Devices

- A. The County-provided electronic devices, internet, and e-mail access is intended for business purposes only. The County encourages the use of the electronic devices, internet, and e-mail because it makes communication more efficient and effective. However, all County issued electronic devices, internet service, 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 electronic devices, 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 electronic devices, e-mail, and the internet. Any improper use of electronic devices, the internet, or e-mail is not acceptable and will result in appropriate disciplinary action, up to and including dismissal.

Chapter 12: County Issued Electronic Devices, Internet & Email Policy

**Section 12.2: Unacceptable uses of the Internet,
County Email, & County Issued
Electronic Devices**

Chapter 12 Amended August 17, 2017 to include Electronic Devices

- A. The County issued electronic devices, internet accessibility, 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 derogatory or inflammatory remarks about race, age, disability, religion, national origin, 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 nor on any County issued electronic device. 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. Each employee is prohibited from allowing others to utilize the county-provided electronic devices, internet, and e-mail. Use of personal electronic devices in the workplace are prohibited other than during scheduled breaks or personal time. County employees shall not use electronic devices for the purpose of texting or e-mailing while operating county owned vehicles or equipment. County employees shall not conduct county business on personal e-mail.

Chapter 12: County Issued Electronic Devices, Internet & Email Policy

Section 12.3: Communications

Chapter 12 Amended August 17, 2017 to include Electronic Devices

- A. 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 and/or on County issued electronic devices. 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. County issued electronic device use is to be predominantly for County related business and needs.
- B. 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.
- C. All communications sent by employees via the County's e-mail/internet system, either on personal or County issued electronic devices, must comply with this and other County policies and may not disclose any confidential or proprietary information.

Chapter 12: County Issued Electronic Devices, Internet & Email Policy

Section 12.4: Software

Chapter 12 Amended August 17, 2017 to include Electronic Devices

- A. To prevent computer viruses from being transmitted through the County's e-mail/internet system and County issued electronic devices, 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.

Chapter 12: County Issued Electronic Devices, Internet & Email Policy

Section 12.5: Copyright Issues

Chapter 12 Amended August 17, 2017 to include Electronic Devices

- A. Copyrighted material belonging to entities other than Crittenden County may not be transmitted by employees on the County's e-mail/internet system via any County issued electronic device. 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.

Chapter 12: County Issued Electronic Devices, Internet & Email Policy

Section 12.6: Security

Chapter 12 Amended August 17, 2017 to include Electronic Devices

- A. The County routinely monitors usage patterns for its County issued electronic devices and 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 electronic devices and 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 electronic devices and 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 employee will be designated as system administrator for County issued electronic device and e-mail/internet purposes. All passwords and sign-on access codes for individuals that will have access to County issued electronic devices, e-mail, and internet system must be written down and placed in a sealed envelope. The envelope will then be given to the County Treasurer for placement in each employee and elected officials personnel file for emergency purposes.
- B. All County issued electronic devices and e-mail addresses will be issued by the Judge Executive and will be recorded on an inventory log maintained in the Judge Executive's office. This inventory log will include the name of the individual to whom an electronic device or e-mail address is given, the electronic device phone or identification number, the date issued, the signature of the individual to whom the device is issued, and the condition of said device at the time of issuance. The inventory log will also include a column to log the return date and return condition of said device. The Judge Executive shall also maintain a photocopy of owner information for all County issued electronic devices.
- C. The County shall abide by KRS Chp. 61 Personal Information Security Procedures; and the Kentucky Department for Local Government guidelines on reasonable security and breach investigation procedures and practices for personal information whether in electronic or paper formats.

Chapter 12: County Issued Electronic Devices, Internet & Email Policy

Section 12.7: Violations

Chapter 12 Amended August 17, 2017 to include Electronic Devices

- A. Any employee who abuses the privilege of County issued electronic devices or County-facilitated access to 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.

**CRITTENDEN COUNTY INFORMATION SECURITY POLICY AGREEMENT
for
EMPLOYEES WITH ACCESS TO PERSONAL INFORMATION WITHIN COUNTY
GOVERNMENT POSSESSION**

I have received a copy of the KY Department for Local Government ‘*Protection of Personal Information Security and Incident Investigation Procedures and Practices for Local Governmental Units*’ policy.

I understand that it is my obligation to read the aforementioned document and agree to follow all policies and procedures that are set forth therein. I further agree to abide by the standards set in the document for the duration of my employment with Crittenden County Fiscal Court. Should I have any questions related to this policy, it is my obligation to seek assistance from my direct supervisor.

I am aware that violations of this policy may subject me to disciplinary action, up to and including dismissal from employment.

I understand that this policy can be amended at any time or that I may receive further direction from my superiors regarding this policy.

Employee Signature

Date

Employee Printed Name

Received by:

County Judge/Executive Signature

Date

SICK LEAVE REQUEST FORM

Employee Name and Address:

I request sick leave for the following dates and for the following reason:

A doctor's note is attached: Yes No

Employee Signature

Date

Recommended for Approval By:

Direct Supervisor Signature

Date

Approved By:

Department Head Signature

Date

Forms

CC Form 000003

Revised 06/2018

APPLICATION FOR SICK LEAVE SHARING

Name of Recipient: _____

Department: _____

Social Security Number: _____

Amount of Sick Leave Needed: _____

Please provide a reason transferred leave is needed, including a brief description of the nature, severity, and anticipated duration of the medical issue. (If this is an amended request, provide reason for extension.)

Please attach certification by one or more physicians of the medical reason that employee will be unable to perform the duties and responsibilities of his/her position for ten (10) or more consecutive working days or the reason for extension, if an amended request.

Recipient or Representative

Date

Department Head/Supervisor

Date

The above named employee has been approved to receive donated sick leave in accordance with the provisions of the sick leave sharing policy.

Appointing Authority

Date

**The original should be kept by the Recipient's Supervisor/ Department Head.*

Forms

CC Form 000004

Revised 06/2018

SICK LEAVE DONATION FORM

Name of Donor: _____

Department: _____

Soc. Sec. #: _____

Amount of Donation to be credited to Recipient: _____

(Employee must have 40 hours remaining after donation. Minimum amount employee may donate is 8.0 hours.)

Recipient: _____

Department: _____

I hereby certify that this donation is given without expectation or promise for any purpose other than that authorized by the sick leave sharing policy.

Donor Signature

Date

Appointing Authority

Date

**The original should remain with the Donor's Supervisor/Dept. Head. A copy should be transmitted to the Recipient's Supervisor/Dept. Head so that Sick Leave balances may be adjusted.*

Forms

CC Form 000005

Revised 06/2018

RETURN OF UNUSED DONATED SICK LEAVE

This is to certify that ____ hours of sick leave donated by:

Donor

SSN

Department

were unused by:

Recipient

SSN

Department

Credit the Donor's sick leave balance accordingly.

Treasurer

Date

**The original should be sent to Donor's Supervisor/Dept. Head*

**Crittenden County Fiscal Court and Properties
Accident/Incident Report**

(To be completed at any such accident/incident in or on County property involving employees or visitors)

Name of Affected Party: _____

Date of incident: _____

Location of incident: _____

Brief description of injury: _____

Description of accident/incident:

Medical Attention Needed? Yes No Not at this time.

Signature of Affected Party

Date

Signature of County Employee/Witness

Date

CRITTENDEN COUNTY ISSUED ELECTRONIC DEVICES, E-MAIL, AND INTERNET USER AGREEMENT

EMPLOYEE AGREEMENT

I have received a copy of Crittenden County Fiscal Court's Policy Guidelines on e-mail/internet and County issued electronic device acceptable use (Chp. 12). I recognize that the County's e-mail/Internet and County issued electronic devices are to be used for conducting the County's business only. I understand that use of this equipment for private purposes is strictly prohibited.

As part of Crittenden County and user of Crittenden County's gateway to the internet and e-mail system as well as all County issued electronic devices, I understand that this electronic device and e-mail/internet County guideline applies to me.

I understand that it is my obligation to read the aforementioned document and agree to follow all policies and procedures that are set forth therein. I further agree to abide by the standards set in the document for the duration of my employment with Crittenden County Fiscal Court. Should I have any questions related to the Crittenden County Administrative Code, it is my obligation to seek assistance from my supervisor, director or Department Head.

I am aware that violations of this County guideline on acceptable County issue electronic device and e-mail/internet use may subject me to disciplinary action, up to and including dismissal from employment.

I further understand that my communications on any County issued electronic device as well as the internet and e-mail reflect on Crittenden County Fiscal Court. Furthermore, I understand that this policy can be amended at any time or that I may receive further direction from my superiors related to proper e-mail/internet usage.

Employee Signature

Date

Employee Printed Name

Forms

CC Form 011818
Amended June 30, 2022
Amended August 24, 2023

**Crittenden County Fiscal Court
Request for Travel Reimbursement**

Name: _____

Date of Request: _____

Trip Information

Destination: _____ Date(s) of Travel: _____

Purpose: Meeting/Conference Training Other: _____

Title of Meeting/Conference/Training Session: _____

Was Personal Vehicle Used? Yes No Was Overnight Required? Yes No

Reimbursement

Mileage

Total Miles Traveled _____ x _____ \$ _____

Meals (receipt is required for reimbursement. Reimbursement will be the lesser of actual paid verses allowed amount.)

	<i># of Meals</i>	<i>Allowed Amt</i>	<i>Actual Spent</i>	<i>Allowed</i>	<i>Reimbursement</i>
Breakfast	_____	\$7.00 each	\$ _____	\$ _____	\$ _____
Lunch	_____	\$8.00 each	\$ _____	\$ _____	\$ _____
Dinner	_____	\$15.00 each	\$ _____	\$ _____	\$ _____
Total:					\$ _____

Hotel (receipt is required for reimbursement.) \$ _____

Other Expense (Other expenses are subject to approval by County Judge)

Totals

Mileage \$ _____

Meals \$ _____

Lodging \$ _____

Other \$ _____

Total Reimbursement: \$ _____

I hereby request reimbursement for travel expenses incurred as indicated above. I certify that the expenses indicated were incurred by me while conducting official business of the Fiscal Court of Crittenden County, Kentucky. Attached are all applicable receipts and documents.

Employee Signature

Date

County Judge Approval (if applicable)

Date

**Kentucky County Employee Retirement System
Full-time Certification**

I, _____, Magistrate of the _____ District of Crittenden County, Kentucky, hereby certify that I do work an average of at least one hundred (100) hours per month per fiscal or calendar year at my elected position as Magistrate.

KRS 61.510(5) and KRS 78.510(6) provide that every regular full-time position should be reported to the Kentucky Retirement Office. A regular full-time position is a permanent full-time position or a permanent part-time position where the employee's job duties require the employee to average one hundred (100) hours of work per month over a fiscal or calendar year.

By certifying that I work an average of at least one hundred (100) hours per month per fiscal or calendar year at my job as Magistrate, this qualifies me to be a member of the Kentucky Retirement System.

Magistrate Signature

Date

Judge Executive Signature

Date

COMMONWEALTH OF KENTUCKY
COUNTY OF CRITTENDEN

Acknowledged, subscribed and sworn to before me by _____, Magistrate of Crittenden County, Kentucky, on this the _____ day of _____, _____.

Notary Public

My commission expires: _____

Forms

CC Form 06172021

Amended 01/20/2022

**Crittenden County Fiscal Court
Request for Uniform Reimbursement**

Date of Request: _____

Employee Name: _____

Department: _____

Purchase Information

Store Name: _____ Date of Purchase: _____

- Item Purchased:
- Hi Visibility ANSI Class2 or Class3 Work Shirts
 - Polo / Button-up / T-Shirt
 - Work Jeans or Industrial Work Pants
 - Steel Toe Boot/Shoe
 - Non-Steel Toe Boot/Shoe
 - Hi Visibility ANSI Class2 or Class3 Winter Coat / Jacket
 - Winter Coat / Jacket
 - Insulated Bibs/Coveralls**

Requested Reimbursement Amount: _____

I hereby request uniform reimbursement as allowed by Section 5.51 of the Crittenden County Administrative Code. Attached are all applicable receipts and documents.

Employee Signature

Date

Uniform Verification

I hereby verify that the attached purchased was made in accordance with the Uniform Expense Reimbursement as a qualified purchase.

Supervisor Signature

Date

Reimbursement Allowance

Fiscal Year: _____

Employee Available Balance: _____

I hereby verify that this employee has not exceeded their annual uniform reimbursement allowance and therefore is eligible for reimbursement.

Treasurer/Finance Officer Signature

Date

Judge Executive Approval

Date

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 - Sick Leave Donation Form
- CC Form 000005:
 - Return of Unused Donated Sick Leave
- CC Form 010616:
 - Crittenden County Fiscal Court and Properties Accident / Incident Report
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Request for Travel Reimbursement
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