

**Spencer County, Kentucky
Ordinance No. 14
Fiscal Year 2011 Series**

**An Ordinance Establishing Fee-Pooling
And a Purchase Order System for the Offices of The
Spencer County Sheriff and The Spencer County Court Clerk**

SECTION I.

Whereas, Attorney General's Opinion 74-1 and Kentucky Revised Statutes 67.080 and 67.083 provide the authority for Fiscal Court to install Fee-Pooling; and,

Whereas, the budget for the Spencer County Fiscal Court is dependent on the county's ad valorem taxes which normally are not due and payable until on or about October 1st of each year, which causes an extreme cash flow problem for the county for the time periods before and after the tax season; and

Whereas, the Fiscal Court is trying to pursue sound fiscal policy and streamline the spending and accounting of county funds in an effort to more efficiently manage the services and operations for the citizens of Spencer County; and

Whereas, in an effort to maintain said services and cash flow, the Fiscal Court is of the opinion that a fee pooling system and purchase order system would be the most economic and beneficial measures to maintain the fiscal soundness of the county; and

Whereas, numerous items are budgeted by the Fiscal court for the Spencer County Sheriff's Office and the Spencer County Clerk's Office and are paid for out of county funds although the Sheriff and County Clerk's Office hold their funds and only pay excess monies into the Fiscal Court for their contributions to the fiscal health of the county, it nevertheless, is deemed by the Fiscal Court that the fiscal health of the county would be better cared for if the monies were turned over to the Fiscal Court on a monthly basis; and

Wherefore, the Fiscal Court feels that it is good business practice to implement a purchase order system for the Spencer County Sheriff's Office and the Spencer County Clerk's Office.

Now, Therefore, Be it Ordained by the Fiscal Court of Spencer County, Commonwealth of Kentucky, that the Fiscal Court of Spencer County enacts this ordinance which shall be known and may be cited as the "Spencer County Fee Pooling for the Sheriff and County Court Clerk Ordinance."

SECTION II.

FEE POOLING SYSTEM

That from and after March 7th, 2011:

1. All net income and net fees from the offices of the Sheriff and County Clerk, Spencer County, Kentucky, shall be paid over to the County Treasurer, such payment to be on a monthly basis and not later than the tenth (10th) day for each month for the net income and net fees collected in the preceding month; and
2. "Net income" and "net fees" shall mean all income and all fees collected less only approved transmittals to governmental agencies and/or applicable refunds to customers; and
3. The expenses of and the expenditures of the offices of Sheriff and County Clerk, Spencer County, Kentucky, shall be pre-approved and paid by the County Treasurer in accordance with the Purchase Order system adopted by Spencer County Fiscal Court herein. Provided, however, the Sheriff and County Court Clerk shall certify to the Treasurer for payment each bi-weekly pay period, the names and hours of each employee of their respective offices who worked during such pay period and the Treasurer shall pay such payrolls without the necessity of any Purchase Order; and
4. The Sheriff and the County Court Clerk shall draw no checks upon the Fee Accounts other than the check to pay over the net income and net fees of the Fee Accounts to the County Treasurer; and
5. That the ordinary bills of the Spencer County Sheriff's Office and the Spencer County Clerk's Office shall not be paid until approved by the Court; and
6. No salaries or expenses of the Spencer county Clerk's Office or Spencer County Sheriff's Office or their employees shall be paid if the fee officer is delinquent in the payment of one month's fee income. In the case of delinquencies, the said salaries and expenses shall only be paid at such time as the delinquencies have been corrected.

SECTION III.

PURCHASE ORDER SYSTEM

Be it further Ordained, by the Fiscal Court of Spencer County, Kentucky, that the Fiscal Court establishes a purchase order system to be used by the Spencer County Sheriff and Spencer County Clerk's Office in accordance with Section 4.6 Small Purchase Procedures/Purchase Orders Policy of the Spencer County Administrative Code, Ordinance 6 (2010), as amended, and with the following conditions:

1. All bills shall be pre-approved by obtaining a purchase order requisition, which may be requested by any employee of the Sheriff's Office or County Court Clerk's Office; and

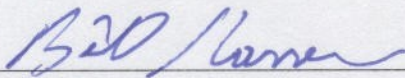
2. The person requesting the purchase order shall, on the purchase order requisition form, indicate the item required, quantity and the expected cost; and
3. The purchase order requisition must first have the approval of the Sheriff or County Clerk or, in their absence, his or her first assistant; and
4. Said purchase order requisition must have the second approval of the Deputy Judge Executive or the County Treasurer with an indication that the item is a budgeted line item with available funds, or is not a budgeted line item; and
5. All purchase order requisitions for items under two hundred dollars (\$200.00) must have a third approval of the Spencer County Judge-Executive or his designee; and all purchase order requisitions for items over two hundred dollars (\$200.00) must have approval by the Spencer County Fiscal Court; and
6. After obtaining all required approval signatures on the purchase order requisition, a purchase order number shall be issued by the Spencer County Judge-Executive's Office.

SECTION IV.

All prior ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. The provisions of the Ordinance are severable and if any provision or part thereof shall be held invalid or unconstitutional or inapplicable to any person or circumstance, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of this ordinance.

Given first reading and approval on February 21st, 2011 .

Given second reading and adoption on March 7th, 2011 .



Bill Karrer
Spencer County Judge Executive

Attest:

Judy Puckett
Spencer County Fiscal Court Clerk