



WASHINGTON COUNTY, ARKANSAS
County Courthouse

MEETING OF THE
WASHINGTON COUNTY QUORUM COURT
ORDINANCE REVIEW COMMITTEE

Monday, April 3, 2017
5:30 p.m.
Washington County Quorum Court Room

Daniel Balls
Ann Harbison
Eva Madison

Chair Bill Ussery

JP District #7
Lisa Ecke
Butch Pond

A G E N D A

1. Call to Order
2. Prayer & Pledge
3. Adoption of Agenda
4. Review of County Codes (4.1 - 4.9)
5. Other Business Any other business to be discussed by the Committee will be brought up at this time.
6. Public Comment
7. Adjournment

~~Sec. 2-83. Washington County Detention Center Judicial Officer.~~

- ~~(a) The position of Washington County Detention Center Judicial Officer as contemplated by the Arkansas Rules of Criminal Procedure is hereby created to appear as a budget item under the County Judge's office.~~
- ~~(b) Said Judicial Officer shall be appointed by the Circuit Judges of Washington County, and shall possess such qualifications and perform such duties as deemed appropriate in accordance with A.C.A. § 16-88-103, Amendment 80 to the Arkansas Constitution, and any other authority or inherent power of the courts. Furthermore, said Judicial Officer shall be an elected District Judge until the Circuit Judges deem otherwise. Said appointment shall be made at such time as the Quorum Court appropriates sufficient monies for such.~~
- ~~(c) Compensation of said Judicial Officer shall be set by the Quorum Court.~~

(Ord. No. 2001-60, Arts. 1—3, 10-11-01; Ord. No. 2005-05, Art. 1, 2-10-05)

Sec. 2-133. - County Fire Marshal's office.

- (a) ~~The County Fire Marshal's office is hereby transferred from a department under the County Judge to a department~~ shall serve under the direction and supervision of the Sheriff.
- (b) ~~The Comptroller and the Human Resources Director, upon consultation with the County Judge and the Sheriff, are hereby directed to take any and all necessary steps to accomplish such.~~

(Ord. No. 2010-32, Arts. 1, 2, 5-13-10)

Sec. 2-172. - Selection; removal.

- (a) The County Attorney shall be ~~nominated~~ hired by the County Judge, ~~and approved by the Quorum Court.~~ The County Attorney shall report to the County Judge, but shall render legal services to all elected officials.
- (b) The County Attorney position shall be removed by a majority vote of the Quorum Court who shall seek the advice of the County Judge and may seek the advice of other elected officials.

Sec. 2-174. - Duties.

The duties of the County Attorney shall include all civil duties as prescribed by law to be carried out by the Prosecuting Attorney, including the following:

- (1) To ~~draft~~ review all ordinances, resolutions, contracts, leases, conveyances, bonds, and such other instruments of writing as may be required by the County in the conduct of its business;
- (2) To furnish written opinions upon subjects of a legal nature relating to the affairs of the County government when requested to do so by the Quorum Court, County Judge, other elected officials, or the chairman of any administrative board, commission, committee or authority of the County;
- (3) To furnish legal advice regarding the activities of the County to the Quorum Court, County Judge, other elected officials, various administrative boards, commissions, or authorities of the County;
- (4) To attend all meetings of the Quorum Court, including committee meetings if requested by the chairman of such, and to render such advice and consultation as may be appropriate thereto; and upon request by the County Judge, to attend any meetings of the various administrative boards, commissions or authorities of the County; and
- (5) To represent the County's interest in all legal matters and proceedings. The County Attorney shall not be responsible for initiating or maintaining civil actions involving mental commitments.

(Ord. No. 81-45, Art. 2, 11-13-81; Ord. No. 86-1, Art. 2, 1-9-86; Res. No. 2000-2, Art. 1, 2-14-00; Ord. No. 2000-24, Art. 4, 6-9-00)

Cross reference— Introduction of ordinances, § 2-33.

Sec. 2-192. - Standards governing ethics in government.

(a) *Purpose and intent.* It shall be the sole purpose of this section to establish specific, reasonable, and uniform ethical standards to be followed by all elected officials in the County as a means of protecting the rights and the property of the good citizens of the County. It is not the intent of this section to keep an elected official from acting in any legal manner, or accepting remuneration set forth in the statutes of the State and intended as compensation for their services in their capacity as an elected official.

(b) *Definitions.*

Elected official means each and every person elected by the voters of the County, or otherwise serving in any of the following offices: County Judge, County Sheriff, County Clerk, Circuit Clerk, County Assessor, County Treasurer, County Collector, County Coroner, and Justice of the Peace.

Family member means the spouse, father, mother, brother, sister, child, and/or step-child of an elected official.

Profit means to benefit financially or personally.

(c) *Standards.* The following are the standards that shall govern the behavior of every elected official in certain circumstances:

(1) *Contracts.*

- a. No elected official shall profit directly or indirectly from contracts with the county except as allowed by law.
- b. No family member shall profit directly from contracts with the County.
- c. No contracts shall be entered into by elected officials when said contract fails to set forth specifically the products or services to be provided under the contract. This includes human service contracts. Said contracts shall provide products or services to the population which would not otherwise be provided by the County in the normal course of business.
- d. No contract shall be let that has not first been offered for competitive bidding pursuant to law.
- e. No contract shall be entered into or renewed without first being reviewed by the County Attorney for adherence to the standards set forth in this section. Every contract shall include a signature line for the County Attorney. Once affixed to the contract, said signature shall be evidence only of the County Attorney's review in accordance with this subsection.
- f. No elected official shall profit directly or indirectly from contracts with the County for a period one (1) year from the date of leaving office, except by a majority vote of the Quorum Court.
- g. No family member shall profit directly from contracts with the County for a period of one (1) year from the date the elected official leaves office.
- h. No contract may be entered into with a third party that employs or otherwise profits any elected official or family member of an elected official.
- i. Any contract entered into in violation of these standards shall be void ab initio.

(2) *Felony conviction while in office.*

- a. No elected official shall remain in office if convicted of a felony while serving as an elected official. Their term in office shall terminate immediately upon conviction and the office shall be filled according to State law, as soon as is practically possible.

(3) *Employment after leaving office.*

4.5

- a. No elected official shall be given employment with the County for a period of one (1) year from the date of leaving office ~~except by a majority vote of the Quorum Court.~~
 - b. If an elected official is employed in violation of this section, said elected official shall be liable to the County for any and all monies paid, including any benefits and parts of benefits; and, for attorney's fees and any costs incurred in the process of enforcing this section. Said employment shall be void ab initio.
- (d) This section may be enforced by any remedy available at law or equity.

Sec. 2-224. - Compensation for Board of Equalization members.

The members of the Board of Equalization shall be paid at the rate of one hundred twenty dollars (\$120.00) per ~~day~~ hour.

Sec. 2-225. - Compensation for Washington County Election Commission.

The members of the Washington County Election Commission shall be paid at the rate of one hundred dollars_(\$100.00) per ~~public meeting~~ hour.

Sec. 2-231. - Monthly Comptroller's report.

- (a) The County Comptroller shall submit a monthly statement of the account balances, accounts receivable, including both State and/or federal grants, accounts payable, along with a comparison figure of the same fiscal condition of the County one (1) year ago. The aforementioned monthly Comptroller's report shall be submitted by and through the County Judge's Office.
- (b) In addition to all other duties now required by law, the County Judge, or his or her designee, shall attend all regular meetings of the Quorum Court for the purpose of responding to any questions which may arise concerning the aforementioned monthly Comptroller's report to be submitted by and through the County Judge's Office.

Sec. 2-84. - Warrants transfer system.

- (a) An electronic warrants transfer system is hereby established for Washington County.
- (b) The County Judge, upon consultation with the County Treasurer, is hereby authorized to select which warrants are eligible for electronic transfer.
- (c) All other warrants shall be processed pursuant to existing State law and County ordinances.