

ORDINANCE NUMBER 6 - 2021

COUNTY OF FRANKLIN, KENTUCKY

AN ORDINANCE AMENDING THE OPERATION OF COUNTY FISCAL COURT SECTION OF CHAPTER 30: ADMINISTRATIVE CODE OF THE FRANKLIN COUNTY CODE OF ORDINANCES TO REMOVE AND ADD LANGUAGE UNDER SUBSECTIONS §30.150, §30.151, §30.152, §30.153, §30.154, §30.155, AND §30.156, AND §30.157(A), (B), (C), (D), (E), (F) (G) AND (H)

WHEREAS, The Franklin County Fiscal Court adopted the General Administration Section of Chapter 30: Administrative Code by Ordinance No. 1-2021 on the 19th day of February 2021, to establish procedures and processes relating to the Constitutional office of the Franklin County Judge Executive; and

WHEREAS, the Judge Executive has established an Administrative Service Committee consisting of two Magistrates and the Judge Executive to consider amendments to the Administrative Code; and

WHEREAS, The Administrative Service Committee has met and considered changes relating to the General Administrative Section of Chapter 30: Administrative Code of the Franklin County Code Ordinances relating to the office of Judge Executive; and

WHEREAS, the Administrative Service Committee desires consideration by the Fiscal Court the General Administrative Section of Chapter 30: Administrative Code of the Franklin County Code Ordinances relating to the office of Judge Executive

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

SECTION I. The Code of Ordinances, Administrative Code, Chapter 30, ~~§30.150 (A), (B), (C), and (D)~~ **§30.150 (A), (B), (C), (D), (E), and (F)** is hereby amended to read as follows:

§ 30.150 PROCEDURES FOR MEETINGS OF FISCAL COURT. PROCEDURES FOR MEETINGS OF THE FCFC

(A) ~~By January 2 of each year, the County Judge/Executive shall, by executive order, fix the dates for the commencement of the regular terms of the Fiscal Court. Meetings may be held every three weeks on alternate days of Friday morning with work session at 9:00 a.m. to be immediately followed by Court, and on Thursday evening with work session at 5:00 p.m. to be immediately followed by Court.~~

~~With at least 24-hour advance notice, on an as needed basis, the Fiscal Court may schedule special meetings at different days and times other than those outlined above.~~

~~The CJE shall annually set the dates, times, and location for all regular FCFC 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) Fiscal Court meetings in which any public business is discussed or any action taken shall be open to the public. All meetings of members of FCFC at which it has jurisdiction to take action shall be open to the public in accordance with the Kentucky Open Meetings Act (KRS Chp. 61).~~

~~(C) The County Judge/Executive may call a special meeting of the Fiscal Court for the purpose of transacting any business over which the Fiscal Court has jurisdiction. The CJE may call a Special Meeting of the FCFC for the purpose of transacting any business over which the FCFC has jurisdiction.~~

~~(D) Every four years following the swearing in of the new administration of the newly-elected county officials, the County Fiscal Court will have its first meeting as soon as practical to conduct the business of the county. Whenever the CJE is unable, he may refuse to call a Special Meeting. A majority of the FCFC may call a Special Meeting.~~

~~(E). Special meetings shall be called and conducted in accordance with the Kentucky Open Meetings Act (KRS Chp. 61) which requires at least twenty-four hours notice including date, time, place, and the agenda to be delivered personally, transmitted electronically, by fax, or mailed to every member of the public agency as well as each media organization which has filed a written request to receive notice of special meetings. In the case of an emergency, a reasonable effort shall be made to notify the members of the agency, media organizations and public of the emergency meeting. Discussions and action at the emergency meeting shall be limited to the emergency for which the meeting is called.~~

~~(F) All meetings of the FCFC may have the ability to be conducted by electronic means when electronic means are available.~~

SECTION II. The Code of Ordinances, Administrative Code, Chapter 30, §30.151 ~~§30.151~~
~~(A), and (B) is hereby amended to read as follows:~~

§ 30.151 PRESIDING OFFICER.

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

~~(A) The CJE shall be the presiding officer of the FCFC at all regular and special meetings.~~

(B) If the CJE is not present or able to preside, a majority of the magistrates shall elect one of their members to preside as set forth in Section 2.5(D).

SECTION III. The Code of Ordinances, Administrative Code, Chapter 30, ~~§30.152 (A) and (B)~~ is hereby amended to read as follows:

§ 30.152 QUORUM.

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

(A) Not less than a majority of the members of the FCFC 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 FCFC.

SECTION IV. The Code of Ordinances, Administrative Code, Chapter 30, ~~§30.153 (A), (B), (C), (D), (E), and (F)~~ ~~§30.153 (A) and (B)~~ is hereby amended to read as follows:

§ 30.153 ORDER OF BUSINESS. DISTURBING MEETINGS

~~(A) The County Judge/Executive shall have prepared an agenda for each Fiscal Court meeting. The Fiscal Court is subject to the provisions of the Open Meeting Law, KRS 61.805 to 61.850. The order of the call may be modified:~~

~~— (1) Call to order and roll call of members to establish a quorum;~~

~~— (2) County Judge/Executive report;~~

~~— (3) Presentations to the Court;~~

~~— (4) Approval of minutes;~~

~~— (5) First or second readings of ordinances before the Court;~~

~~— (6) Resolutions before the Court;~~

~~— (7) Appointments, if any;~~

- (8) Financial issues before the Court;
- (9) Departmental reports, if any;
- (10) Other business;
- (11) Closed sessions if required; and
- (12) Adjournment.

(A) It shall be unlawful to disturb any meeting of the FCFC or to behave in a disorderly manner at any such meeting.

(B) The County Judge/Executive shall prepare an information package for all Court members containing all items on the agenda.

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

(C) The County Judge/Executive shall present an itemized list of all valid bills requiring Fiscal Court approval. Such list shall accompany the agenda prepared and delivered by the County Judge/ Executive pursuant to division (A) above.

(D) Except for standing order recurring expenses, no bills shall be approved for payment unless presented for the meeting.

(E) 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.

(F) In certain circumstances, the County Judge/Executive, with the approval of at least five votes of the Franklin County Fiscal Court, may suspend the rules to take action on any matter to which expediting is deemed to be in the best interest of Franklin County. Only one section of the rules may be suspended and only one matter may be addressed during that suspension of the rules.

SECTION V. The Code of Ordinances, Administrative Code, Chapter 30, §30.154 (A), (B), (C) (D) and (E), §30.154 (A), (B), (C), (D), and (E) is hereby amended to read as follows:

§ 30.154 FISCAL COURT RECORDS AND MINUTES. ORDER OF BUSINESS

(A) (A) The Fiscal Court Clerk or designee shall attend all meetings of the County Fiscal Court. At each regular meeting of the FCFC an agenda will be presented prior to the meeting. This agenda shall be followed unless dispensed with by a majority vote of the members present. The CJE shall have the authority to add amendments to said agenda at any time in the event the subject of said amendment is deemed to be in

the best interest of Franklin County, Kentucky. Amendments to the agenda may also be made by majority vote of the FCFC.

—(B) The County Fiscal Court Clerk shall be responsible for maintenance and management of all county records. The Fiscal Court Clerk shall keep an index of all records and make such index and records available for public inspection in accordance with KRS 61.870 to 61.884.

(B) At each Special or Emergency Meeting of the FCFC, the agenda shall be followed with no other topics presented or discussed during the Special or Emergency Meeting.

(C) The CJE or his designee shall prepare an itemized list of all valid bills requiring FCFC approval. Such list may accompany the agenda prepared by the CJE. Members of FCFC have the authority and/or are encouraged to review all bills requiring FCFC approval and may do so at the Office of the County Treasurer at any time during normal business hours.

(D) No bill shall be approved for payment unless contained in the itemized list for the meeting.

(E) A majority of the FCFC 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 the FCFC.

(F) The FCFC may approve payment of the list of valid bills as a whole unless there is an objection voiced to any specific item.

SECTION VI. The Code of Ordinances, Administrative Code, Chapter 30, §30.155 (A), (B), (C), (D), (E), (F), and (G) §30.155 (A), (B), (C), (D), and (E) is hereby amended to read as follows:

§ 30.155 ORDINANCES, ORDERS AND RESOLUTIONS. FRANKLIN COUNTY FISCAL COURT MINUTES

(A) An ORDINANCE means a general act of the County Fiscal Court enforceable by law or an appropriation of money; all other acts are motions, orders or resolutions. The clerk of the FCFC shall attend all meetings of the FCFC and keep a full and complete record of its action items/votes.

(B) All ordinances shall be introduced in writing; relate one subject only; and contain a title, which expresses the subject matter concisely. The clerk of the FCFC shall keep an index of all FCFC records and make such index of all FCFC records available for public inspection in accordance with the Kentucky Open Records Act (KRS Chap. 61).

(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, the County of Franklin, Commonwealth of Kentucky."

- (D) County ordinances shall have a first reading followed by a second reading and adoption by the Fiscal Court.
- (E) County ordinances shall be amended by ordinance and only by setting out in full each amended section.
- (F) No county ordinance shall be passed until it has been published pursuant to KRS Ch. 424. Prior to passage, ordinances may be published in summary. Publication shall include the time, date and place within the county where a copy of the full text of the proposed ordinance is available for public inspection. In the event consideration for passage is continued from the initial reading to a subsequent date, no further publication is necessary provided that at each meeting the time, date and place of the next meeting is announced.
- (G) All county ordinances and amendments shall be published and shall be placed on the county's website after passage and may be published in full or in summary.

SECTION VII. The Code of Ordinances, Administrative Code, Chapter 30, **§30.156 (A) and (B)** is hereby amended to read as follows:

§ 30.156 RULES OF ORDER

- (A) Except when in conflict with the foregoing provisions, Robert's Rules of Order shall govern the deliberations of the FCFC.
- (B) With the approval of a majority of the FCFC then present, the CJE may suspend the rules to take action on any matter to which suspension is deemed to be in the best interest of Franklin County.

SECTION VIII. The Code of Ordinances, Administrative Code, Chapter 30, **§30.157 (A), (B), (C), (D), (E), (F), (G) and (H)** is hereby amended to read as follows:

§ 30.157 ORDINANCES, ORDERS, AND RESOLUTIONS

- (A) An "ordinance" means an official written act of the FCFC, 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 Franklin, 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. In the event consideration for passage is continued from the initial meeting to a subsequent date, no further publication is necessary provided that each meeting, the time, date, and place of the next meeting is announced.
- (G) All County ordinances and amendments shall be published after passage and may be published in full or in summary form at the discretion of the FCFC.
- (H) Traffic, building, housing, plumbing, electrical, safety and other self-contained Codes may be adopted by reference if a copy of the code is kept with the adopting Ordinance and is made apart of the permanent record of the County.

SECTION IX. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Franklin County Code of Ordinances as soon as practicable.

SECTION X. SEVERABILITY CLAUSE. If any section, part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Franklin County Fiscal Court in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION XI. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 18th day of December, 2025.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 7 day of January, 20 and of record in Fiscal Court Order Book 310, Page 527.



Michael Mueller
Franklin County Judge/Executive

ATTESTED TO:



Kim Cox
Fiscal Court Clerk

SUMMARY

This ordinance approves an amendment to Chapter 30, §30.150, §30.151, §30.152, §30.153, §30.154, §30.155, §30.156, and §30.157 (A), (B), (C), (D), (E), (F), (G), and (H) of the Administrative Code relating to the Operation of County Fiscal Court.