

ORDINANCE NUMBER 1 - 2024

COUNTY OF FRANKLIN, KENTUCKY

AN ORDINANCE AMENDING THE GENERAL ADMINISTRATION SECTION OF CHAPTER 30: ADMINISTRATIVE CODE OF THE FRANKLIN COUNTY CODE OF ORDINANCES TO REMOVE AND ADD LANGUAGE UNDER SUBSECTIONS §30.001, §30.002, §30.003, §30.004, §30.005, §30.006, and §30.007 (A), (B), (C), (D), (E), and (F)

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, ~~§30.001 (A), (B), (C) AND (D)~~ **§30.001 (A), and (B) is hereby amended to read as follows:**

§30.001 COUNTY JUDGE-EXECUTIVE

(A) ~~The County Judge/Executive shall be the chief executive of the county and shall have all the powers and perform all the duties of an executive and administrative nature consistent with the State Constitution and state statutes.~~ **The Franklin County CJE 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 in an administrative nature consistent with the Kentucky Constitution, Kentucky Revised Statutes, and the FCFC.**

(B) ~~The responsibilities and duties of the County Judge/Executive are defined in KRS 67.710.~~ **The responsibilities and/or duties of the Franklin County CJE, as defined by KRS 67.710, are as follows:**

- (1) Provide for the execution of all ordinances and resolutions of the FCFC, execute all contracts entered into by the FCFC, and provide for the execution of all laws by the state subject to enforcement by him or by government personnel who are under his direction and supervision;
- (2) Prepare and submit to the FCFC for approval an administrative code incorporating the details of administrative procedure for the operation of the County and review such code and suggest revisions in June annually, periodically or at the request of the FCFC;
- (3) Furnish the FCFC with information concerning the operations of all County departments, boards, or commissions, necessary for the FCFC to exercise its powers or as requested by the FCFC;
- (4) Require all officials, elected or appointed, whose offices utilize County funds, and all boards, special districts, and commissions exclusive of city governments and their agencies located within the County to make a detailed annual financial report to the FCFC concerning the business and condition of their office, department, board, commission, or special districts no later than March 31 annually;
- (5) Consistent with procedures set forth in KRS Chapter 68, prepare and submit to the FCFC an annual budget and administer the provisions of the budget when adopted by the FCFC;
- (6) Keep the FCFC 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 FCFC or as he or she deems necessary;
- (7) Exercise with the approval of the FCFC the authority to appoint, supervise, suspend, and remove County government personnel (unless otherwise provided by state law); and
- (8) With the approval of the FCFC, the CJE shall make all appointments to or removals of members from such boards, commissions, and designated administrative positions, from which the FCFC, charter, law or ordinance may create. The CJE shall notify the FCFC of his nomination at the next regularly scheduled FCFC meeting. If approval is required, the FCFC shall vote on confirming the CJE's nominee and/or conduct said vote within two weeks after being notified of the CJE's nomination.
- (9) When directed by statute or an ordinance of the county to make an appointment and fill a vacancy, nominate a person to fill the vacancy within sixty (60) days of the date of the vacancy. The FCFC shall approve or disapprove the nomination within forty-five (45) days of receipt of the nomination. If the CJE fails to nominate a person within sixty (60) days of the date of the vacancy, the FCFC may

fill the vacancy. If the FCFC fails to approve or disapprove a nomination within forty-five (45) days of the nomination, the CJE's nominee is deemed to have been approved. If the CJE disapproves a nomination, the CJE shall nominate another person to fill the vacancy within forty-five (45) days of the disapproval. If the CJE fails to nominate another person within forty-five (45) days, a majority of the FCFC may fill the vacancy.

SECTION II. The Code of Ordinances, Administrative Code, Chapter 30, §30.002 (A), (B), (C) AND (D) §30.002 (A), (B), (C), and (D) is hereby amended to read as follows:

~~§ 30.002 APPOINTMENT PROCEDURES FOR DEPUTY JUDGE/EXECUTIVE~~
~~PROCEDURES FOR ORGANIZATION/REORGANIZATION OF COUNTY~~
~~DEPARTMENTS AND AGENCIES~~

(A) ~~The County Judge/Executive may designate by written executive order, within 30 days of assuming office, a Deputy Judge/Executive who shall serve consistent with KRS 67.711 as Judge/ Executive in the absence of the County Judge/Executive. The CJE may create, abolish or combine any County department or agency or transfer a function from one department or agency to another, provided that CJE submits a written plan for the reorganization to the FCFC.~~

(B) ~~The County Judge/Executive shall be deemed absent when he or she is physically absent from the county, physically disabled or prevented by other emergency beyond control which would prevent from physically attending meetings of the Fiscal Court. A vacation, including one taken within the county, shall be considered an absence. 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) ~~Such appointment of a Deputy Judge/Executive shall continue until such time as the County Judge/Executive publishes a written revocation of the appointment or makes a new appointment or upon the resignation of the Deputy County Judge/Executive. The plan shall be subject to public inspection at least 60 days prior to its effective date. The plan shall be submitted to the FCFC for approval at a meeting of the FCFC. If not disapproved within forty-five (45) days, the plan shall become effective.~~

(D) ~~The Deputy Judge/Executive shall have all administrative powers and authority as the County Judge/Executive. The Deputy Judge/Executive shall not chair or vote on the Fiscal Court. CJE or the FCFC may cause the records and accounts of any administrative agency to be examined at any time.~~

SECTION III. The Code of Ordinances, Administrative Code, Chapter 30, §30.003 (A), (B), (C), (D), (E), and (F) §30.003 (A) is hereby amended to read as follows:

~~§ 30.003 PROCEDURES FOR APPOINTMENT/REMOVAL OF ADMINISTRATIVE PERSONNEL AND MEMBERS OF BOARDS AND COMMISSIONS.~~ **SPECIAL DISTRICTS**

(A) ~~The County Judge/Executive shall nominate qualified persons to serve on boards and commissions. Such appointments may be placed on the agenda of any regular or special meeting of the Fiscal Court. If state law requires approval by the Fiscal Court of the nomination, the Fiscal Court shall act on such nomination within 60 days. If the Fiscal Court does not act on the nomination within the 60-day time period, said nomination will be deemed rejected by the Fiscal Court. A majority of the Fiscal Court members present at a meeting shall vote in favor of the nomination in order for it to be approved.~~ **With the approval of the FCFC, the CJE may create any special district; or abolish or combine any special districts, provided such district was created solely by the County.**

(B) ~~The Fiscal Court may require the nominee to appear at a public hearing for the purpose of questioning about matters related to the position for which he or she has been nominated. The nominee will be notified by mail if this is the Court's intention. The Fiscal Court shall provide the nominee with an opportunity to make a statement concerning his or her nomination and qualifications.~~

(C) ~~No person shall be selected as a member of a board or commission if that person holds or is employed in a position that is incompatible with the one for which he or she is nominated.~~

(D) ~~In the event the Fiscal Court rejects the nominee, the County Judge/Executive shall submit additional nominations, not to exceed ten for any one position; and, if Fiscal Court rejects all ten, the County Judge/Executive shall appoint a person to serve on a temporary basis, not to exceed one year.~~

(E) ~~When state law does not require Fiscal Court approval of an appointment, the County Judge/Executive shall make that appointment. Within 30 days of making the appointment, the County Judge/Executive shall notify the Fiscal Court in writing of the appointment. The notice may be filed with the County Clerk.~~

(F) ~~Before any board or commission member may be dismissed, that person shall be presented, in writing, a list of reasons setting forth the basis for the dismissal. The notice shall be delivered via registered mail to the last known address of the individual being dismissed. The County Judge/Executive shall conduct a termination conference no sooner than ten, and no later than 21, days after receipt of the reason for dismissal. At the conference, the person being dismissed will have the opportunity to respond, to be represented by counsel and to call witnesses. The County Judge/Executive shall issue a written opinion, which shall contain the findings of fact and his or her determination, and shall cause a copy of it to be provided contemporaneously to members of the Fiscal Court.~~

SECTION IV. The Code of Ordinances, Administrative Code, Chapter 30, §30.004 (A), (B), and (C), §30.004 (A), (B), (C), and (D) is hereby amended to read as follows:

~~§ 30.004 PROCEDURES FOR ORGANIZATION/REORGANIZATION OF COUNTY DEPARTMENTS AND AGENCIES. COUNTY REPRESENTATION ON BOARDS AND COMMISSIONS~~

(A) The County Judge/Executive shall submit to the Fiscal Court a written plan, which describes the service and functions to be performed by each department, agency, commission or special district both current and proposed. The CJE 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) The plan shall include an organizational chart showing the relationship of each department, agency, commission or special district to others and the lines of authority. The chart shall be maintained in current condition and shall be available for public viewing and inspection during normal office hours. 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 CJE and the FCFC within thirty (30) days of the start of the County 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 and monthly/quarterly minutes and financials.

(C) The reorganization plan shall be submitted to the Fiscal Court for approval and available for public review at least 15 days prior to its effective date. When notification of intent to resign from a board or commission is submitted to the CJE, the FCFC will receive contemporaneous notification.

(D) The CJE or his designee shall have the option to meet with the governing body of any Board, Commission, Agency, or Special District which requires participation by County government at any time.

SECTION V. The Code of Ordinances, Administrative Code, Chapter 30, §30.005 (A), (B), (C) (D) and (E), §30.005 (A), (B), (C), (D), and (E) is hereby amended to read as follows:

~~§ 30.005 PROCEDURES AND REPORTS TO FISCAL COURT BY COUNTY ADMINISTRATIVE AGENCIES AND PUBLIC AUTHORITIES. APPOINTED POSITIONS~~

(A) All county administrative agencies and public authorities subject to the Fiscal Court by law shall submit monthly a list to the County Judge/Executive of any citizen complaints during the preceding month and include steps taken to correct the situation. The County Judge/Executive may request such reports be filed more often. The CJE may appoint an executive secretary to assist with the execution of his administrative duties.

(B) Each administrative agency and public authority authorized and established by the county shall submit an annual report to the County Judge/Executive within 75 days after the close of each fiscal year. The report must include at a minimum: ~~The CJE may appoint a Deputy County Judge-Executive. The Deputy CJE shall perform the duties prescribed to the CJE in the absence of the CJE. The CJE may be deemed absent when he shall be physically absent from the County, physically disabled or prevented by other emergency beyond his control which would prevent him from attending meetings of the FCFC. A vacation, including one taken within the County, may in the discretion of the CJE be considered an absence. The Deputy CJE shall have all administrative powers, duties, and responsibilities as the CJE, except that the Deputy CJE shall not act for the CJE as a member or presiding officer of the FCFC.~~

- (1) A descriptive narrative of the functions and activities of the authority; and
- (2) Those items required by KRS 65A.20 in full with each report, with evidence of filing with the County Clerk's office by July 1 each year.

(C) Each administrative agency and public authority shall file a copy of its annual budget and audit with the County Judge/Executive as required by KRS 65A.20. ~~The FCFC shall appoint the County Treasurer per KRS 68.010, and the Treasurer reports to the FCFC.~~

(D) All meetings of the boards, commissions, public authorities and special districts shall be open to the public, unless exempt by KRS 61.810. A record of the proceedings of each meeting shall be maintained in the form of minutes and be available for public inspection. Subject to approval of the FCFC, the CJE may appoint other personnel to assist with the County's administrative and fiscal duties.

(E) ~~The County Judge/Executive may make a verbal report with recommendation to the Fiscal Court at the next meeting following the receipt of any of the above required reports. Prior to the Court meeting described herein, the report shall be made available to the Fiscal Court for review. A member of the FCFC may be appointed by a majority of the FCFC to temporarily assume the duties of the CJE, when both the CJE and Deputy CJE are absent from the County, are absent from the County during an Emergency or are incapacitated due to sickness, injury, or mental incompetence.~~

SECTION VI. The Code of Ordinances, Administrative Code, Chapter 30, §30.006 (A), (B), (C) (D) and (E), ~~§30.006 (A), (B), (C), (D), and (E)~~ is hereby amended to read as follows:

§ 30.006 EXECUTIVE COMMITTEE. PROCEDURES FOR APPOINTMENT/REMOVAL OF ADMINISTRATIVE PERSONNEL AND MEMBERS OF BOARDS AND COMMISSIONS.

~~As used herein for purposes of grievance hearings, the Executive Committee of the County Fiscal Court shall consist of three magistrates and the Chair of the County Ethics Committee. The magistrates shall serve as follows: magistrates from Districts 1, 3 and 5 shall serve during~~

the first two years of their elected term, beginning January 1 of their term; magistrates from Districts 2, 4 and 6 shall serve the second two years of their elected term, beginning January 1 of the third year of their terms. In the event of a vacancy, upon appointment, the successor magistrate shall fulfill the remainder of the two year term. A quorum shall consist of three members of the Committee.

- (A) The CJE shall inform the FCFC of any open position on County Boards or Commissions, or in designated administrative positions at the next FCFC meeting after the vacancy occurs.
- (B) The CJE may appoint qualified individuals to administrative positions and Boards and Commissions with the approval of FCFC, notwithstanding those appointees that are exclusively within the purview of the CJE. See Section 2.1 (9)(C). If the FCFC rejects the nomination, the CJE shall submit an additional nomination(s) for each position, which shall follow the procedures set for the in Section 2.1. (9).
- (C) The appointment shall be filed and entered by index into the Franklin County Executive Order Book which shall be maintained in the Office of the CJE.
- (D) The FCFC shall provide the nominee with an opportunity to make a statement to the FCFC concerning his nomination and qualifications.
- (E) 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.

SECTION VII. The Code of Ordinances, Administrative Code, Chapter 30, §30.007 (A) is hereby amended to read as follows:

§ 30.007 FRANKLIN COUNTY PROCEDURES FOR ADMINISTRATIVE AGENCIES

- (A) Each Franklin County Agency shall maintain the following records:
 - 1. A financial record of the agency's activities. Each County Agency shall maintain the following records: A financial record of the Agency activities containing the amount budgeted for the year, the amount expended to date and the balance available.
 - 2. Within sixty (60) days after the close of each fiscal year, each administrative agency shall make full report to the CJE and to the FCFC. The report shall include a financial statement and the general scope of the operation of the agency during the preceding year.

3. Each administrative agency requesting Franklin County budget funds shall submit a detailed annual budget request within the time limits established by the CJE or his or her designee.
4. Each administrative agency of Franklin County shall keep minutes of its meetings to reflect on record its official actions.

SECTION VIII. 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 IX. 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.

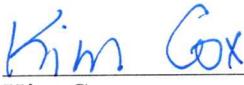
SECTION X. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

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, 2026 and of record in Fiscal Court Order Book 30, Page 527.


Michael Mueller
Franklin County Judge/Executive

ATTESTED TO:


Kim Cox
Fiscal Court Clerk

SUMMARY

This ordinance approves an amendment to Chapter 30, §30.001, §30.002, §30.003, §30.004, §30.005, §30.006, and §30.007 (A), (B), (C), (D), (E), and (F) of the Administrative Code relating to General Administrative.