

ORDINANCE #2015-07  
ORDINANCE ESTABLISHMENT FEE POOLING  
SYSTEM FOR THE OFFICE OF MARSHALL COUNTY SHERIFF

BE IT ORDAINED BY FISCAL COURT OF MARSHALL COUNTY:

SECTION ONE:

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

WHEREAS, the budget for Marshall County Fiscal Court is dependent upon the county's ad valorem taxes which are not normally due and payable until November 1<sup>st</sup> of each year, which causes a cash flow problem for the County and Sheriff for the time periods before and after tax season; and,

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

WHEREAS, in an effort to maintain said services and cash flow, it is the consensus of the Fiscal Court and the opinion of various members thereof a fee pooling system would be the most economical and beneficial measures to maintain and fiscal soundness of the county; and,

WHEREAS, numerous items are budgeted by the Fiscal Court for the Marshall County Sheriff's Office and paid for out of county funds although the Sheriff holds funds and only pays excess monies into the Fiscal Court for the Sheriff's contribution to the fiscal health of the county, nevertheless, it is deemed by the Fiscal Court that the fiscal health of the county would be better served, if the monies were turned over to the Fiscal Court on a monthly basis; and,

NOW, THEREFORE, the Fiscal Court of Marshall County enacts the Ordinance which shall be known and may be cited as the Marshall County Pooling for the Sheriff Ordinance.

SECTION TWO: FEE POOLING SYSTEM

That from and after January 1, 2016

1. All net income and net fees from the office of Marshall County Sheriff, shall be paid over to the County Treasurer, such payment to be on a monthly basis no later

than the twentieth (20th) day for each month for the net income and 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 refunds to customers; and,

3. The expenses and expenditures of the office of Marshall County Sheriff shall be preapproved and paid by the County Treasurer in accordance with the payment practices adopted by Marshall County Fiscal Court herein; and,

4. The Sheriff shall draw no checks upon the fee account other than the check to pay over the net income and net fees of the fee account to the County Treasurer; and,

5. That the ordinary bills of the Marshall County Sheriff shall not be paid until approved by the Fiscal Court; and,

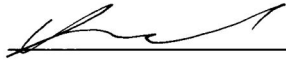
6. No salaries (in compliance with current law) or expenses of the Marshall County Sheriff or his employees shall be paid if the fee officer is delinquent in the payment of one (1) month's fee income. In case of delinquencies, the said salaries and expenses shall only be paid at such time as the delinquencies have been corrected. All employees shall be laid off upon notice of County Judge Executive.

7. All procurement requests shall be made as required by the Fiscal Court and implemented by the County Treasurer.

#### SECTION THREE:

The provisions of this ordinance are severable and if any provision or part thereof shall be held invalid or unconstitutional or inapplicable to any person or circumstance, such any validity, unconstitutionality or inapplicability shall effect or impaired the remaining provision of this ordinance.

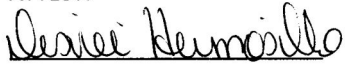
The foregoing Ordinance was first read on this 1<sup>st</sup> day of December, 2015.



Kevin Neal

Marshall County Judge Executive

ATTEST:



Fiscal Court Clerk

Upon motion of Squire Rick Coker, seconded by  
Squire Johnny Bawlin and past, approved on second reading, this 15<sup>th</sup>  
day of

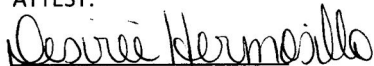
December, 2015 and order published.



Kevin Neal

Marshall County Judge Executive

ATTEST:



Fiscal Court Clerk