

**OWEN COUNTY, KENTUCKY**  
**ORDINANCE NUMBER** 252  
**AMENDMENT TO ORDINANCE NUMBER 237**

**AN ORDINANCE** relating to the Amendment of the Owen County Fiscal Court Administrative Code.

**WHEREAS**, Kentucky Revised Statute Chapter 68 was created for the purpose of creating a sound and efficient administration of county government;

**WHEREAS**, on December 27, 2022, the Fiscal Court of Owen County, Kentucky adopted the Owen County Administrative Code, as Ordinance #237 pursuant to KRS Chapter 68

**WHEREAS**, the Owen Fiscal Court has determined that it is necessary to amend the Administrative Code;

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Fiscal Court of county of Owen, Commonwealth of Kentucky that the following amendments are made to the Administrative Code for Owen County:

**The following amended section to read as follows:**

1.02 Definitions

- 2. Benefit Leave Time (BLT):
    - a. Sick Time
    - b. Vacation Time
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**The following amended section to read as follows:**

1.10 Procurement and Surplus

1. Authorization of Government Contracts:

- a. Every contract, change or amendment thereto, shall be authorized or approved by the OCFC before being executed by the CJE, except for small purchases as set forth in KRS 45A not requiring competitive bidding, the use of the State Master Contract Agreement(s) or a Request for Proposal (RFP). The County Attorney shall review every contract of OCG, as to form and legality, except for contracts for small purchases. The Owen County Government, by and through the Owen County Fiscal Court, hereby adopts the Kentucky Model Procurement Code as set forth in KRS 45A, along with any applicable amendments which the Kentucky General Assembly may adopt, said Code to be incorporated in full herein by reference.
- b. In any portion of this section, or any of the above-mentioned adopted statutes, is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this section, or the statutes, shall continue in full force and effect.
- c. Any ordinance, executive order, or adopted policies in conflict with this section are repealed in so far as the same are in conflict herewith.

d. Owen County Public Transit (OCPT), in addition to Section 1.10.1.a of this document, shall adhere to the Owen County Public Transit Procurement policy which adheres to federal procurement standards related to federal funding, specifically 2 CFR 200.319 & FTA Circular 4220.1G.

2. Selection of Vendors and Contractors:

- a. The agency, department or person requiring supplies, services or construction shall submit to the CJE a request containing specifications and quantities desired.
- b. The CJE shall determine the need for each item requested, the approximate cost and whether the expenditure is provided for in the budget.
- c. Any expenditure or contract for materials, supplies (except perishable meat, fish, and vegetables), equipment, or for contractual services other than professional, involving an expenditure as set forth in KRS 45A shall be subject to RFP procurement.
- d. The CJE shall place an advertisement in the OCG website and newspaper of the largest circulation in the county at least once, not less than seven (7) days, not more than twenty-one (21) days before bid opening. The advertisement shall include the time and place where the RFP proposal may be obtained.
- e. The CJE shall open all bids publicly at the time and place stated in the advertisements and shall select the lowest and/or best bid by qualified bidder.
- f. The CJE shall submit the bid selected to OCFC for approval with justification.
- g. The CJE shall sign all contracts when ratified by the OCFC.
- h. The Owen OCFC has adopted the Kentucky Procurement Code as stated in chapter 45A, Kentucky Model Procurement Code.

3. Procedures for Determination of Qualification of Bidders:

- a. All RFP proposals shall outline specific requirements for all bidders to successfully be considered as a qualified bidder. Each RFP shall have specific qualifications for the project.

4. Prerequisite to Use of Negotiated Process:

- a. The negotiated process may be used instead of advertising for bids as set forth in KRS 45A in the following circumstances:
  - i. An emergency exists.
  - ii. Bids exceed available funds.
- b. Professional Service contracts. Before an emergency is declared, the CJE shall determine whether the delay in obtaining bids will result in danger to health, safety, or property.
- c. The CJE shall certify the existence of any emergency and file a copy of such certificate with the chief financial officer of OCG (the Treasurer).
- d. In the event all bids submitted are more than funds available, the CJE shall prepare a written determination that there are no additional funds available to permit an award to the selected bidder and delay in advertising for additional bids is not in the best interest OCG.
- e. The OCFC shall approve all circumstances in which the Negotiation Process is used.

5. Procedures for Negotiated Process:

- a. When the prerequisites have been met for use of the negotiated process, the CJE shall proceed to negotiate with one or more suppliers to obtain the most advantageous terms for OCG.
  - b. The CJE shall prepare a record of all negotiated contracts, showing the items and quantities acquired, name of suppliers, cost, and date of contract.
  - c. Professional services shall be negotiated with such persons as are properly licensed to perform such services.
  - d. Where more than one (1) bid was received and all were more than the amount available, the lowest three (3) bidders shall be notified that OCG desires to negotiate a contract for a lesser amount based on revised quantities or specifications and fix a time limit for submission of proposals.
  - e. The CJE shall examine the proposals received and shall negotiate with the suppliers for the terms most advantageous to OCG.
  - f. The best negotiated proposal shall be submitted to the OCFC for approval and award.
6. Small Purchase Procedures:
- a. All expenditures as set forth in KRS 45A shall be considered a "small purchase", which under ordinary circumstances should not be subject to competitive bidding so long as said expenditure is provided for in the budget unless the OCFC shall direct otherwise.
  - b. The CJE determines the need for any item requested and whether the contract as set forth in KRS 45A and the expenditure is provided for in the budget.
7. Hold Harmless Clause:
- a. All contracts executed on behalf of the OCG concerning the purchase of services or products shall contain a "hold harmless clause", whereby the vendor, provider of services, or seller agrees to hold the OCG harmless from any liability concerning the use of their product or the receipt of their service.
8. Asset Control Management:
- a. Please refer to the Capitalization & Asset Control Policy for specific policy & procedures.
9. Disposition of County Surplus Property:
- a. Real Property:

The CJE shall determine that OCG retains surplus real property and that it will be in the best interest of OCG to dispose of said real property, the CJE shall make a written statement inclusive of the following:

    - i. The real or personal property.
    - ii. It's intended to be used at the time of acquisition.
    - iii. The reasons why it is in the public interest to dispose of it, and v. The method of disposition to be used.

- b. The property may be transferred via the following method:
  - i. Transferred, with or without compensation, to another governmental agency.
  - ii. Sold at public auction following publication of the auction in accordance with KRS424.130(1) (b).
  - iii. Sold by electronic auction following publication of the auction, including the uniform resource link (URL) for the site of the electronic auction, in accordance with KRS 424.130(1) (b).
  - iv. Sold by sealed bids.
- c. In the event there are no bids for the property, the property shall be sold by the CJE in the best interests of the County.
- d. No OCG real property shall be sold on a negotiated basis for less than the appraised value.

10. Tangible Property:

- a. OCG office, agency, or person to which responsibility has been assigned by the CJE to use and take care of tangible property will notify the CJE that a property is no longer needed or serviceable.
- b. CJE shall inquire about other OCG offices to determine if they have a need for, or want to use, the item.
- c. If no use for the property can be found, the property shall be disposed of in the same manner as Real Property except that no appraisal is required.

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**The following amended section to read as follows:**

3.06 Outside or Secondary Employment

FTE's considering outside employment, shall report their intentions to the CJE, HRA and their immediate supervisor. Outside employment which effects OCG negatively maybe be grounds to reclassify an FTE to PTE and is not limited to employment separation. The CJE shall be responsible for final interpretation. Failure to report outside employment after an employee is classified as an FTE, will result in corrective action.

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**The following amended section to read as follows:**

5.06 Overtime Compensation

It is OCG's policy to comply with the provisions of the Fair Labor Standards Act (FLSA) and Kentucky Labor Cabinet. Each job description shall be designated as exempt or non-exempt in accordance with the provisions of the Fair Labor Standards Act (FLSA).

Employees in an exempt job class may not be paid for hours worked over 40 hours in a work week.

Employees in non-exempt job class who work more than forty (40) hours in a work week will be compensated at an overtime rate of one and one-half (1.5) hours for every hour worked, except for nonexempt law enforcement employees.

All overtime must be authorized in advance by the employee's Supervisor, supervisor or CJE.

Paid holidays or hours on which an employee does not physically work including paid vacation and sick leave, will not be counted as hours worked in computing overtime unless authorized by the CJE due to emergency situations.

Non-exempt employees who work overtime will be paid for all overtime incurred during the pay period in which the overtime was worked.

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**The following amended section to read as follows:**

**5.08 Time & Attendance Records**

OCG will provide a time record management system for employees to access twenty-four hours a day, 365 days a year securely and safely, to appropriately manage their work schedule and report their work hours accurately. It is the employee's responsibility to provide a true and accurate time record for each pay period. All-time records shall be verified and signed by the employee according to established payroll operating guidelines.

Each employee is responsible for verifying their hours by each department's designated verification date. Verification validates that an employee concurs that the hours recorded and that will be submitted to HR for payroll processing are correct. Errors identified after payroll has been submitted, shall be rectified prior to the next pay period, and pay not later the second pay period following the correction.

All Benefit Leave Time (BLT) requests shall be submitted by the employee through the approved time record management system. Verbal or hardcopy requests shall **NOT** be valid, and shall not be considered as an official county record.

It is the responsibility of the employee's supervisor to verify and approve time records for each pay period. Authorization of a department's time records shall be the responsibility of the supervisor.

Falsification or misrepresentation of time records may result in disciplinary action, up to and including termination of employment. Time records must be submitted on a timely basis for each respective pay period.

Time record errors, whether clerical, mathematical or in conflict with policy, shall be brought to the attention of the employee's supervisor, who shall validate and authorize any changes to the time record, which shall indicate the employee's acknowledgement and verification of the change.

Time record errors identified during payroll processing by the HRA shall be brought to the attention of the supervisor and the CJE.

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**The following amended section to read as follows:**

**6.03 Family and Medical Leave Act**

OCG is a qualified employer subject to the provisions of the federal Family and Medical Leave Act of 1993 (FMLA). Considering the complexity of the FMLA's eligibility and benefits provisions, employees are encouraged to schedule an appointment with the HRA for detailed information regarding the FMLA. In addition, supervisors who become aware of a potential need for FMLA should refer the employee to HRA.

It is the policy of OCG not to discharge or discriminate against any employee exercising his/her rights under the FMLA. Any employee that feels he/she has been treated unfairly should follow the grievance procedure outlined in Section 10 of this policy manual.

BLT is not accrued while receiving FMLA benefits.

Holiday pay is suspended during the period of unpaid leave until the employee returns to work.

An employee shall utilize BLT during any period of FMLA to cover the cost associated with the elected benefits provided by OCG. BLT will be utilized in the following manner. Sick time first and vacation time upon the endorsement of CJE and HRA with ratification by OCFC.

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**The following amended section to read as follows:**

**7.02 Vacation and Sick Time**

Benefit Leave Time (BLT) is classified into two (2) categories:

1. Vacation – is a benefit granted by OCG to eligible regular full-time classified employees working a minimum of 162.5 hours per month.
2. Sick - is a benefit granted by OCG to eligible regular full-time classified employees working a minimum of 162.5 hours per month.

All non-FTE classified employees are not eligible for benefit leave time.

OCG encourages employees to utilize BLT thought-out heir employment. Employees are responsible for monitoring and utilizing BLT appropriately while adhering to specific county or department policies or guidelines.

The immediate supervisor shall have full discretion regarding the approval or denial concerning employee requests for use of both forms of BLT.

BLT accrual begins from the date of hire. An employee may request BLT only after a thirty (30) day wait period from the date of hire, and only when BLT is reported on or after the first day of the month preceding the thirty (30) day wait period.

- Example:  
 Date of Hire: Aug 15, 2022  
 Waiting Period (30 days): August 15 to September 15, 2022  
 BLT available for usage: October 1, 2022

An employee in good standing may request in writing a disbursement of accrued vacation hours (up to 240 hours) when separating employment.

Any employee that separates negatively from OCG or not in good standing, shall forfeit all accrued benefit leave time upon separation.

**The following italicized and underlined language shall be in effect until October 31, 2025. Thereafter, this language shall be repealed effective November 1, 2025.**

*Any employee in good standing may request a disbursement of vacation or PTO BLT time (sick time not included) when an employee has accrued more than two-hundred and forty (240) hours. Employees may request in writing: a disbursement amount up to fifty (50%) of the accrued time over the two-hundred and forty (240) hour baseline.*

- *Example:*  
*480 hours accrued by September 31st.*  
*240 hours accrued over the 240-hour base line 120 hours (50%) are eligible for disbursement.*

*Written request must be submitted between October 1st and October 15th in a calendar year.*

Vacation & Sick Leave Accrual Rate for Emergency Medical Services (EMS) Personnel

Years of Continuous Service	Vacation			Sick		
	Accrual Per Month	Accrual Per Year	Maximum Carry Over	Accrual Per Month	Accrual Per Year	Maximum Carry Over
5 yrs. or less	12	144	Unlimited	12	144	Unlimited
6 > 10 yrs.	14	168	Unlimited	12	144	Unlimited
11 > 15 yrs.	16	192	Unlimited	12	144	Unlimited
16 years >	18	216	Unlimited	12	144	Unlimited

Vacation & Sick Leave Accrual Rate for Non-Emergency Medical Services Personnel

Years of Continuous Service	Vacation			Sick		
	Accrual Per Month	Accrual Per Year	Maximum Carry Over	Accrual Per Month	Accrual Per Year	Maximum Carry Over

5 yrs. or less	8	96	Unlimited	8	96	Unlimited
6 > 10 yrs.	10	120	Unlimited	8	96	Unlimited
11 > 15 yrs.	12	144	Unlimited	8	96	Unlimited
16 years >	14	168	Unlimited	8	96	Unlimited

**The following amended section to read as follows:**

7.04 Vacation Leave

Vacation leave procedures shall be outlined by each department's SOG. Accrued vacation leave may be used by an employee subject to eligibility and upon approval from the immediate supervisor.

Scheduling employee vacation leave shall be achieved without undue disruption to department operations.

Vacation leave requests shall be submitted through the county's time and attendance software. Any other variances shall not be permitted unless directed by the CJE or HRA.

**The following amended section to read as follows:**

7.13 Elected Benefits – Other

**The following amended section to read as follows:**

7.14 Employer Covered Benefits

**The following amended section to read as follows:**

7.15 Educational or Training Benefits

**The following amended section to read as follows:**

7.16 Uniform Allowance

Uniform allowance shall be set and adjusted at the CJE discretion upon approval by the OCFC based on recommendations from department supervisors. Each department shall have a written policy as to the specific uniform item(s), their quantity and purchase requirements. Expenditures which exceed the county allocated uniform allowance shall be the responsibility of the employee.



The following amended section to read as follows:

7.17 Time off for voting

Uniform allowance shall be set and adjusted at the CJE discretion upon approval by the OCFC based on recommendations from department supervisors. Each department shall have a written policy as to the specific uniform item(s), their quantity and purchase requirements. Expenditures which exceed the county allocated uniform allowance shall be the responsibility of the employee.

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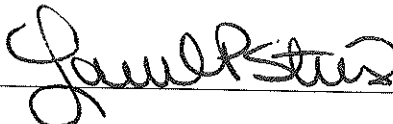
Effective Date 9/24/2025

Introduced, and given First Reading: August 26<sup>th</sup> 2025

Given Second Reading, Passed and Adopted: September 23<sup>rd</sup> 2025



Todd Woodyard, Judge-Executive

Attest: 

Laurel Stivers, Fiscal Court Clerk

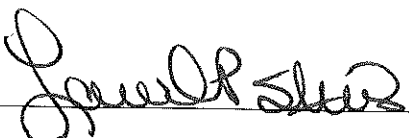
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Todd Woodyard, Judge-Executive

Attest: 

Laurel Stivers, Fiscal Court Clerk

## **PUBLIC NOTICE REGARDING ADOPTION OF ORDINANCE**

The County of Owen, Kentucky (the "County"), hereby gives public notice that at the scheduled meeting of the County Fiscal Court held in the Owen County Courthouse, 100 N. Thomas Street, Owenton, Kentucky 40359, on the 23rd day of September, 2025, at 5:00 p.m., EST (local time), an Ordinance #252 ("Administrative Code Ordinance") identified by its title and summarized as follows was given a second reading and considered for passage and adopted by the Fiscal Court of the County, as provided by KRS 67.077: **AN ORDINANCE ADOPTING**

### **AMENDEMENTS OF ADMINISTRATIVE CODE #237**

#### SUMMARY

Ordinance #252 "Administrative Code Ordinance" authorizes: The amendment of Sections: 1.02 Definitions; 1.10 Procurement and Surplus; 3.06 Outside or Secondary Employment; 5.06 Overtime Compensation; 5.08 Time & Attendance Records; 6.03 Family and Medical Leave Act; 7.02 Vacation and Sick Time; 7.04 Vacation Leave; 7.15 Uniform Allowance; and 7.16 Time off for voting.

The full text of Ordinance #252 the "Administrative Code Ordinance" is on file in the office of the Owen County Judge Executive, Owen County Courthouse, 100 N. Thomas Street, Owenton, Kentucky 40359, where they will be available for public inspection between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

Fiscal Court Clerk

Owen County, Kentucky