



Board Policies

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Campbell County Fiscal Court Code of Ethics

Adopted 15 Oct 2013
Re-Adopted 21 Oct 2020

Section 35, Campbell County Code of Ordinances

35.01 Definitions

35.02 Standards of conduct

35.03 Nepotism

35.04 Financial disclosure

35.05 County Ethics Commission

§ 35.01 DEFINITIONS.

BUSINESS ASSOCIATE. Includes the following:

- (1) A private employer;
- (2) A general or limited partnership, or a general or limited partner within the partnership.
- (3) A corporation that is family-owned or in which all shares of stock are closely-held.
- (4) A corporation, business association, or other business entity in which the county government officer or employee serves as a compensated agent or representative.

BUSINESS ORGANIZATION. Any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit.

CANDIDATE. An individual who seeks nomination or election to a county government office. An individual is a candidate when the individual:

- (1) Files a notification and declaration for nomination for office with a county clerk or the Secretary of State; or
- (2) Is nominated for office by a political party under KRS 118.105, 118.115, 118.325, or 118.760.

COUNTY GOVERNMENT AGENCY. Any board, commission, authority, non-stock corporation, or other entity formed by the county government or a combination of local governments.

COUNTY GOVERNMENT EMPLOYEE. Any person, whether compensated or not, whether full-time or part-time, employed by or serving the county government, or county government agency who is not a county government officer, but shall not mean any employee of a school district or school board.

COUNTY GOVERNMENT OFFICER. Any person, whether compensated or not, whether full-time or part-time, who is elected to any county government office; or any person who serves as a Member of the governing body of any county government agency or special taxing or non-taxing district.

MEMBER OF IMMEDIATE FAMILY. A spouse, an un-emancipated child residing in an individual's household, or a person claimed by the individual or individual's spouse as a dependent for tax purposes.

FAMILY MEMBER. Any relative who is 2nd cousin or closer in relationship.

(Ord. O-19-94, passed 12-7-94)

§ 35.02 STANDARDS OF CONDUCT.

- (A) No county government officer or employee shall be prohibited from giving or receiving an award publicly presented in recognition of public service, commercially reasonable loans made in the ordinary course of the lender's business, or reasonable hosting, including travel and expenses, entertainment, meals or refreshments furnished in connection with public events, appearances, ceremonies or fact finding trips related to official county government business.
- (B) No county government officer shall be prohibited from accepting a gratuity for solemnizing a marriage. A county officer may receive certain gifts or monetary benefits in the pursuit of county business at meetings, seminars, and conferences.
- (C) No county government officer shall be deemed in conflict with these provisions if, by reason of his participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him as a Member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other

Member of such business, profession, occupation or group.

(D) No elected county government officer shall be prohibited from making an inquiry for information or providing assistance on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a Member of his immediate family, whether directly or indirectly, in return therefore.

(E) Nothing shall prohibit any county government officer or employee, or Members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, interests.

(Ord. 0-19-94, passed 12-7-94)

§ 35.03 NEPOTISM.

Hiring Members of immediate family is discouraged. However, in those instances where it is beneficial to the county and/or office to hire a Member of immediate family, under no circumstances shall that person receive compensation, benefits or other job consideration not given to other employees of similar classification or job requirements. Also, for the Member of the immediate family to be considered for employment he/she must possess those qualifications required of other job applicants. If the hiring of a Member of immediate family takes place, the county officer shall notify the Campbell County Ethics Commission of his/her action. Any current family Member on the payroll is grandfathered.

(Ord. 0-19-94, passed 12-7-94)

§ 35.04 FINANCIAL DISCLOSURE.

(A) The following individuals shall be required to file a financial disclosure statement:

- (1) Elected officers;
- (2) Candidates for elected office.

(B) The financial disclosure statement shall include the following information:

- (1) Name of filer;
- (2) Current business address, business telephone number and home address of filer;
- (3) Title of filer's public office or office sought;
- (4) Occupation of filer;

(5) Name and address of the primary source of income of the filer during the preceding calendar year.

(C) Each statement shall be signed and dated by the individual filing the statement of financial interest. Knowingly signing a fraudulent statement shall be a Class A misdemeanor.

(D) The financial disclosure statement shall be filed with the Campbell County Ethics Board no later than February 15 of each year.

(Ord. O-19-94, passed 12-7-94)

§ 35.05 COUNTY ETHICS COMMISSION.

(A) The Campbell County Ethics Commission is hereby created which shall have the powers to enforce all provisions of the code of ethics, adopted by Ordinance O-19-94.

(B) The Commission shall be composed of three Members to be appointed by the County Judge Executive, and confirmed by the fiscal court. Appointment shall be for a term of one year. Members will be reimbursed for expenses incurred. Staff assistance will be supplied by the county.

(1) All appointments shall be made no later than 60 days after the adoption of this chapter.

(2) Vacancies on the County Ethics Commission shall be filled within 60 days by the county judge/executive subject to the approval of the fiscal court. If a vacancy is not filled by the county judge/executive within 60 days, the County Commissioners may fill the vacancy. All vacancies shall be filled for the remainder of the unexpired term.

(C) Powers and duties.

(1) The Commission shall have jurisdiction over the administration of this code.

(2) The Commission may receive complaints; and conduct investigations, inquiries, and hearings concerning any matter covered by this code.

(3) The Commission shall prescribe and provide forms for reports, statements, notices, and other documents required by this code.

(4) The Commission shall determine whether the required statements and reports have been filed, and if filed, whether they conform with the requirements of this code. The Commission shall promptly give notice to the filer to correct or explain any omission or deficiency.

- (5) The Commission may retain private counsel at the expense of the county if the county attorney has an actual or potential conflict. Any counsel must be pre-approved by the fiscal court.

(D) Complaint procedure; preliminary investigations.

- (1) (a) Upon a complaint signed under penalty of perjury by any person, or upon its own motion, Commission shall investigate any alleged violation of this code.
 - (b) After the Commission receives the complaint, the Commission shall initiate a preliminary inquiry into any alleged violation of this code. This shall be done in a timely manner.
 - (c) The Commission shall forward a copy of the complaint and a general statement of the applicable law to the person alleged to have committed a violation. This shall be done in a timely manner.
- (2) All Commission proceedings and records relating to a preliminary investigation shall be subject to the Open Meetings or Open Records act,
- (3) The Commission may turn over to the Commonwealth's attorney or county attorney of the jurisdiction in which the offense allegedly occurred, evidence which may be used in criminal proceedings,
- (4) The Commission shall afford a person who is the subject of a preliminary investigation an opportunity to respond to the allegations in the complaint. The person shall have the right to be represented by counsel, to appear and be heard and to offer evidence in response to the allegations in the complaint.
- (5) Any person who knowingly files with the Commission a false complaint of misconduct on the part of any elected or appointed official or other person shall be guilty of a Class A misdemeanor.

(E) Action by Commission.

- (1) If the Commission concludes in its report that in consideration of the evidence produced at the hearing there is clear and convincing proof of a violation of this chapter, the Commission may:
 - (a) Issue an order requiring the violator to cease and desist the violation.
 - (b) In writing, publicly reprimand the violator for the violations and provide a copy of the reprimand to the executive authority and governing body (if different than the executive authority) of the county or county agency with

which the violator serves.

- (c) Refer evidence of criminal violations of this chapter or state laws to the county attorney or commonwealth's attorney for the jurisdiction for prosecution.

(F) Appeals.

- (1) Any person found by the Commission to have committed a violation of this code may appeal the action to the Campbell County Circuit Court. The appeal shall be initiated within 30 days after the date of the final action of the Commission by filing a petition with the court against the Commission. The Commission shall transmit to the clerk of the court all evidence considered by the Commission at the public hearing. The court shall hear the appeal upon the records as certified by the Commission.

(Ord. O-19-94, passed 12-7-94)

Library Code of Ethics/Conflict of Interest Statement

Created 13 Jul 2004
Revised 15 Oct 2013
Reviewed 21 Oct 2020

Code of Ethics

The Campbell County Public Library District Board of Trustees strives to maintain the highest moral standards in the administration of the Library District. All trustees affirm that they:

- Observe ethical standards with truth, integrity and honor;
- Avoid situations in which personal interests might be served or financial benefits gained at the expense of the library or its users;
- Excuse one's self immediately whenever there is the appearance of a conflict of interest;
- Ensure their personal philosophies or interests do not interfere with their administration of the Board or their support of its decisions;
- Respect the confidential nature of library business while being aware of the applicable laws governing freedom of information;
- Support to the fullest the efforts of librarians in resisting censorship of library materials by groups or individuals;
- Accept and perform all of the duties and functions of the position of Trustee;
- Listen and respect the opinions of other board members, never criticizing other board members for their opinions;
- Recognize that authority lies only within legal meetings of the Board and not with its individual members;
- Keep the Board informed of relevant information that would be of interest to all of its members;
- Read the distributed materials before the meetings and come to all meetings prepared to discuss the issues;
- Participate actively in meetings and actions and inform the Library Director when unable to attend;
- Attempt to interpret and anticipate the needs of the users of the library;
- Refer concerns to the proper level on the chain of command within the library;
- Recognize that the Board's responsibility is to ensure the library is well managed, never undermining the authority of the Director in that management;
- Represent all users and potential users of the library fairly and equally;
- Ensure that the library and its facilities are well maintained, financially secure, growing, and always operating in the best interests of its users;

- Advocate for the library, both within the community and within other organizations;
- Use the library and become familiar with its staff and operations;
- Take advantage of opportunities for continuing development.

Conflict of Interest Statement

The Board of Trustees of the Campbell County Public Library strives for open and transparent governance of the library, the administration of the public's funds, and the conduct of the library's business. As such, each board member and the Library Director annually disclose in a written form any affiliations to business, political, or other interests which could influence his/her decision-making in matters pertaining to the administration of the library's business regardless of whether personal gain is a factor.

Board members must exclude themselves from individual decisions or actions of the Board where such a conflict of interest would be a factor. A board member with an ongoing conflict of interest that would preclude his/her participation in many aspects of the library's administration may choose to resign. The Board may choose to inquire about any disclosed affiliations.

As a part of the library's annual financial audit, the auditing firm will collect information from board members regarding any conflicts of interest that might exist.

Fiscal Responsibility

Created 15 May 2012
Revised 18 Oct 2017
Reviewed 21 Oct 2020

The staff and board positions of the Campbell County Public Library should not be used for personal gain. The members of the Board and the employees of the library are to remain objective in their duties and responsive to the needs of the public they serve. Accordingly, the staff members and board members must maintain the highest commitment to their responsibilities as stewards of the library.

District Funds

All District funds are defined as "Public Funds." This includes, but is not limited to, all sums actually received in cash or negotiable instruments from all sources, whether or not the money has ever been deposited into a library account. Any money controlled by the library, including gifts, fines, fees and all funds received from any source, are considered "public funds" and are governed by this policy.

Personal Use of District Assets

Neither a staff member nor any board member will use or permit the use of the library's funds, vehicles, equipment, telephones, materials or property for their own personal benefit or profit. Neither the Director nor a board member will ask or require a library employee to perform services for personal benefit. The Director and all board members will safeguard the library's property, equipment, moneys and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust.

Segregation of Fiscal Duties and Internal Controls

No one person should control or perform all key aspects of a transaction or financial event. Segregation of duties is an important internal control that helps detect errors in a timely manner and deters improper activities. Internal controls instituted by the library will assist the Board in maintaining adequate fiscal oversight of the expenditure of the District's funds.

The library shall institute a system of internal controls and a segregation of duties which will meet or exceed the 32 guidelines outlined in the *Kentucky Auditor of Public Accounts - Recommendations for Public and Nonprofit Boards* (March 2010 revision). The adequacy of these guidelines and the library's compliance efforts should be reviewed after each audit and as otherwise needed.

Procedures shall be modified to correct any deficiencies discovered during regular audits or at any other time. These Recommendations are available at: <https://auditor.ky.gov/cpatools/Pages/32BoardOversightRecommendations.aspx>

Policy enforcement and violations

Any alleged violation of this policy on fiscal responsibility by the library's staff shall be investigated by the Director. If an actual violation is determined, actions will be implemented appropriate to the degree of violation, up to and including termination.

Any alleged violation of this policy on fiscal responsibility by the Director shall be investigated by the Board, or by a committee appointed by the Board for this purpose. If actual violation is determined, the Board shall impose sanction appropriate to the degree of violation, up to and including termination.

Any alleged violation by a board member shall be investigated by the remaining board members. If actual violation is determined, the Board may impose sanction as warranted, up to and including requesting the resignation of the board member. At the option of the Board, and in accordance with KRS 65.007, the Fiscal Court may be requested to initiate removal proceedings for any board member found in violation.

The Library District reserves the option of reporting any significant violation of this policy on fiscal responsibility to appropriate law enforcement agencies for investigation and possible prosecution.

Other references

Similar policies that expand upon or support this policy are included in the library's Income and Disbursement, Investment, General, and Personnel Policies.

Appointment of Board Members

Created 21 Feb 2006
Revised 21 Oct 2020
Reviewed 21 Oct 2020

Board Diversity

The Board recognizes the need for diversification among its members so that a variety of segments and interests within the population are represented. The Board also requires (as mandated by KRS 173.725) that its members represent all of the geographical regions of the county. Special attention will be given to developing an array of professional experience that will benefit the Board's decision-making abilities. Further, the Board recognizes the need for a diversification of gender, race, and ethnicity among its members to ensure that all voices in the community are heard.

Postings and Applications

All Board openings will be posted. Postings will include any specific interest(s) that the Board expects of the applicants, the geographical area that requires representation, and the term of office. The posting will also include a specific call to interested applicants who represent minorities.

Selection Committee

The Board will nominate a Board Member Selection Committee for reviewing all applications. This Committee will be responsible for interviewing selected candidates and submitting the names of two qualified individuals to the full Board for approval.

Submission and Approval

With the Board's approval, the Library Director will submit the names of the selected candidates to the State Librarian for review. The State Librarian verifies the applicants' contact information before sending the names to the County Judge-Executive for appointment. Appointments will be made by the Judge-Executive and approved by the County Commissioners. By statute, the Judge-Executive may only choose from the names that are submitted by the library's Board.

Until such appointment is made, the current board members continue to serve in their present capacities and offices or the position remains unfilled.

Oath of Office

All incoming board members will be sworn in by the County Judge-Executive or by a qualified and approved notary public of the Commonwealth of Kentucky.

Open Meetings and Open Records statement

Each board member, upon appointment, must sign a document that is provided by the County Judge-Executive which details the board member's receipt and support of Open Records and Open Meetings laws.

Termination

Board members are appointed by the Judge-Executive and may not be removed by a decision of the Board itself.

Resignation

A board member may resign at any time. If a board member resigns, the Board will agree upon a procedure for filling the position. The incoming board member would, however, only serve the remaining term of the outgoing board member. The incoming board member would be eligible to serve up to two more terms, if appointed.

Resignation by non-attendance

A board member who fails to attend four Board meetings during a calendar year will automatically be determined to have resigned from the Board. In such case, the Board will notify the State Librarian and the County Judge-Executive. The Board will then begin procedures to fill the vacant position.

Reimbursement of Expenditures

Created 21 Feb 2006
Revised 19 Mar 2013
Reviewed 21 Oct 2020

Board members are reimbursed for expenses incurred in the performance of their duties for the library including the attendance of continuing education events.

As outlined in the Kentucky Revised Statutes, board members will be reimbursed for the actual cost of all expenditures.

Approval for reimbursement may be granted by the Director.

Public Relations

Created 21 Feb 2006
Revised 19 Mar 2013
Reviewed 21 Oct 2020

Library Promotion

Each board member has the responsibility to promote the library to the community. Such promotion may include:

- Mentioning the library and its services to members of the community;
- Supporting library-friendly legislation with elected officials;
- Representing the library at community functions.

Public Statements

The Board employs and supports the Library Director as the public relations official for the library. Generally, the Board will allow the Director to issue statements on behalf of the Board and the library without prior approval. In special cases, the Board may choose to limit the Director's statements or ask for prior approval.

In some cases, the Board itself may choose to issue statements on behalf of the library. Generally and where feasible, such statements should be coordinated with the Library Director's input. If the Board chooses to make public statements, remarks should be communicated by the President of the Board.

Library Director

Created 21 Feb 2006
Revised 19 Mar 2013
Reviewed 21 Oct 2020

The library's Board of Trustees is required by the Kentucky Revised Statutes to employ a Library Director for the daily management of the library. The Director is hired by the Board and is its sole employee. All other staff members of the library are hired by the Library Director.

The Board will negotiate and agree upon a contract for employment with the Library Director. The contractual agreement with the Library Director will be drafted by the library's legal counsel, signed by the Board President and Library Director, and then maintained as a part of the Library Director's personnel file.

Grievances

Created 21 Feb 2006
Revised 19 Mar 2013
Reviewed 21 Oct 2020

Staff members of the library have the ongoing opportunity to file formal grievances with the Board. The Grievance Policy is contained in the Personnel Policies of the library. The Board should ensure that the staff member has completed all of the steps outlined in the Personnel Policies before a grievance hearing is granted.

All decisions of the Board in a grievance hearing are final. If the employee is not satisfied with the Board's decision, s/he may pursue legal advice or actions as s/he deems appropriate.

Tax Rates

Created 21 Feb 2006
Revised 16 Nov 2016
Reviewed 21 Oct 2020

The library receives revenue from taxes collected as a special purpose government entity. The library sets its tax rate pursuant to KRS 132 and the 2015 Kentucky Court of Appeals' ruling in *Coleman, et al vs. Campbell County Public Library*.

The tax rate is proposed each year based on tax revenue projections provided by the Kentucky Department for Libraries and Archives. These projections are based on the value of property as assessed by the Campbell County Property Valuation Assessment office and certified by the Kentucky Department of Revenue.

The timeline for the certification process is addressed in the Kentucky Revised Statutes. The Board, by statute, may not set the library's tax rates until the property values have been certified by the Kentucky Department of Revenue.

Separate tax rates are determined for:

- Real Estate;
- Personal Property;
- Motor Vehicles and Watercraft.

Legal Posting

The library's attorney will ensure that appropriate legal postings are placed in the library's paper of record concerning all matters related to setting the tax rate according to KRS 132 and KRS 65A..

Tax Rate Hearing

The tax rate hearing, where necessary, is a public meeting and is conducted in accordance with KRS 132 and KRS 65A.

Reporting of Tax Rates

The Library Director and Library Attorney will ensure that the library's tax rates are reported to the appropriate state and local government entities as required in KRS 132 and KRS 65A.

Annual Budget

Created 21 Feb 06
Revised 19 Mar 2013
Reviewed 21 Oct 2020

The annual budget is created by the Library Director. The Board appoints a committee to review the proposed budget in detail with the Director. The Board will approve the finalized budget each year.

Annual Audit

Created 21 Feb 2006
Revised 15 Oct 2014
Reviewed 21 Oct 2020

The Board employs an independent accounting firm certified to conduct an audit of the library's finances using current governmental accounting rules and standards for each fiscal year.

Auditor Selection

The Board will approve the accounting firm used for this service each year. The library will solicit bids for a new accounting firm to conduct the audit on a five year cycle. When possible, the accounting firm selected at the end of the cycle should not have conducted the library's audit during the previous five year cycle. If the same accounting firm is selected for consecutive cycles, the lead auditor assigned to the library's account should be changed.

Auditor's Duties

The accounting firm will:

- Conduct tests of the library's accounting practices for weaknesses in any controls;
- Evaluate the library's financial status including all liabilities and assets (both financial and physical);
- Create a written report on the library's financial status;
- Review and provide a report on the expenses related to the Library Director.

Auditor's Report

The Board will approve the final report of the auditor. Copies of the report will be kept in the library's Business Office and will be made available to interested parties or individuals as required. Each board member will be given a copy of the final report. A copy of the final report is available on the library's website and provided to the Department of Local Government.

Professional Assistance

Created 21 Feb 2006
Revised 15 Oct 2014
Reviewed 21 Oct 2020

The Board may occasionally retain the services of a contracted professional to advise or provide expertise in a particular area. This may include:

- Special legal counsel;
- Architects;
- Financial auditors;
- Other special services.

When the Board retains such services, communication with the contracted agent should be delivered through the Library Director or the President of the Board in order to avoid excessive billable charges for services.

The Board may also seek the professional assistance of the Regional Librarian and other individuals employed by the Kentucky Department of Libraries and Archives (KDLA).

As a general rule, specialized services do not have to go through a request for proposal process. The Board (or the Library Director at the direction of the Board) may choose firms/individuals capable of meeting the Board's needs and present those to the Board for their selection and approval.

Library Policies

Created 21 Feb 2006
Revised 19 Mar 2013
Reviewed 21 Oct 2020

The library's policies are reviewed annually. The Library Director is responsible for ensuring that appropriate policies are created and for communicating suggested changes or revisions to the Board. The Board will review and approve the library's policies, including any suggested changes. The Board will ensure that the Library Director is administering policies correctly through appropriate procedures. The daily administration of policies is the responsibility of the Library Director.

Open Meetings

Created 21 Feb 2006
Revised 19 Mar 2013
Reviewed 21 Oct 2020

The Board shall always operate in accordance with the Kentucky Revised Statutes (KRS 61.800-850) that govern the public's right to attend all meetings, be informed of such meetings, and have open access to the records of the library.