

ORDINANCE NO. O-20-19

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

"AN ORDINANCE AMENDING ORDINANCE O-20-03 CREATING A PURCHASING POLICY FOR GARLAND COUNTY GOVERNMENT."

WHEREAS, Ordinance O-20-03 established a Purchasing Policy for Garland County Elected Officials and employees; and,

WHEREAS, the Finance Committee reviewed the amended Garland County Purchase Policy and determined that amendments should be made; therefore, Ordinance O-20-03 is hereby amended and reaffirmed as follows:

NOW THEREFORE BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, ARKANSAS:

SECTION 1. Currently, Ordinance O-20-03 Part VI. Section G under the section "A party wishing to contract with Garland County must: "states:

G Contract Information

All contracts must conform to the following requirements and be accompanied by a completed Contract Approval Routing Form. The County Attorney will not submit any contracts through the contract routing process before assuring that each contract includes, or excludes, the appropriate information as specified below:

A party wishing to contract with Garland County must:

- Remove all language from its contract, which grants to it any remedies other than the right to possession; the right to all payments which the party has earned under the contract; the right to expenses of de-installation; the right to expenses of repair to return the equipment to normal working order, normal wear and tear excluded; the right to recover only amounts due at the time of repossession, and any unamortized non-recurring cost as allowed by Arkansas law;
- Include in its contract that the laws of the State of Arkansas govern the contract; and,
- Acknowledge in its contract that contracts become effective when approved by the County Attorney, signed by the County Judge and recorded in the office of the County Clerk.

SECTION 2. The section will have one more bullet point for projects or grants that require a Personal Identity Information Policy (PII) and a certificate stating:

A party wishing to contract with Garland County must:

- Remove all language from its contract, which grants to it any remedies other than the right to possession; the right to all payments which the party has earned under the contract; the right to expenses of de-installation; the right to expenses of repair to return the equipment to normal working order, normal wear and tear excluded; the right to recover only amounts due at the time of repossession, and any unamortized non-recurring cost as allowed by Arkansas law;

- Include in its contract that the laws of the State of Arkansas govern the contract; and,
- Acknowledge in its contract that contracts become effective when approved by the County Attorney, signed by the County Judge and recorded in the office of the County Clerk.
- Submit a Personally Identifiable Information (PII) policy, when required for a project or grant.

SECTION 3. Currently Ordinance O-20-03 Part VII. Procurement Under Grants. Section B. states:

A. Sub-recipients

Sub-recipients must agree to comply with applicable provisions of federal, state, and local laws and regulations, including without limitation, the County Purchasing and Contracts Policy, Equal Employment Opportunity, Drug-Free Workplace laws, and Title VI and Title VII of the Civil Rights Act of 1964 when applicable.

Departments must maintain oversight to ensure that sub-recipients are performing in accordance with the terms, conditions, and specifications of their sub-recipient agreement or purchase orders. Departments should notify the Grants Administrator immediately if it is believed that the sub-recipient is not complying with the terms of the agreement.

Departments must follow the county guidelines for grants to ensure they are monitored accurately.

- When applying for a grant:
 - Obtain the County Judges' signature, if needed.
 - Email the completed application to the Finance Director so a resolution can be prepared for Quorum Court approval.
- If awarded the grant:
 - Email a copy of the award letter and a budget to the Finance Director so the funds can be appropriated in a timely manner.
 - Review your grant expenditures monthly to verify the remaining balance.
 - Email any documentation to the Finance Director so the grant can be monitored monthly. (Progress Reports, etc.)
- Closing the grant:
 - Email a closure notification to the Finance Director for verification that the grant has been closed out.


SECTION 4. The section was rewritten to provide a more detailed guideline for departments applying for, or awarded grants, which states:

Departments must follow the county guidelines for grants, to ensure they are monitored accurately.

- When applying for a grant:
 - Obtain the County Judges' signature, if needed.
 - Applicant shall email the application and Grant Application Request form at least 45 days prior to submission to the Finance Director, who will prepare a resolution to be approved by Quorum Court; exceptions may apply due to timeline. These exceptions are to be approved by the Finance Director.

- Once the Quorum Court has approved the resolution, a signed copy will be emailed to the Applicant as permission to submit.
- If awarded the grant:
 - Applicant shall email a copy of the award letter and a budget to the Finance Director so the funds can be appropriated by ordinance in a timely manner.
 - When the terms and conditions of a grant require new policies, the applicant will provide a copy of the new policy to Finance Director for an ordinance to be adopted.
 - The Finance Director will notify the appropriate Committee Administrator to budget funding, approve positions, and adopt policies, when necessary.
 - Once the Quorum Court has approved the ordinance, a signed copy will be emailed to the Applicant as permission to proceed.
 - Applicant shall review their grant expenditures in the county financial software monthly to verify the remaining fund balance.
 - Applicant shall email all documentation to the Finance Director for audit purposes. (Progress & Financial Reports, etc.)
- Closing the grant:
 - Applicant shall email a closure notification to the Finance Director for verification that an ordinance to reimburse the county needs to be prepared, if applicable.

SECTION 5. That this ordinance shall be codified in the Garland County Code of Ordinances and the Sections may be re-numbered and re-lettered to accomplish such intentions.

ATTEST: 
 Sarah Smith
 Garland County Clerk

APPROVED: 
 Darryl Mahoney
 Garland County Judge

SPONSOR: 
 Matt McKee
 Justice of the Peace

DATE: 7/13/2020