

ORDINANCE NO 2013- 030
AN ORDINANCE PROSCRIBING PROCEDURE
FOR FILLING A VACANCY IN PERSONNEL

ORIGINAL

WHEREAS, pursuant to Indiana Code 36-2-5-3, it is the responsibility of the Delaware County Council to fix the number of officers, deputies, and other employees for the County, and to describe and classify positions and services; and

WHEREAS, in complying with the above referenced code section, the Delaware County Council approves the number of employees for every department during budget hearings held annually; and

WHEREAS, the Delaware County Council has enacted ordinances and procedures for the hiring of additional and replacement personnel; and

WHEREAS, the existing procedures implemented by County Council has the potential to create a hardship on departments where they have to operate with less employees than the Council had previously approved; and

WHEREAS, it is the intent of the Delaware County Council to amend its procedures, as it relates solely to replacement personnel, in an effort to assist the department heads and elected officials in providing effective and efficient services to the citizens of Delaware County.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Delaware County, State of Indiana, as follows:

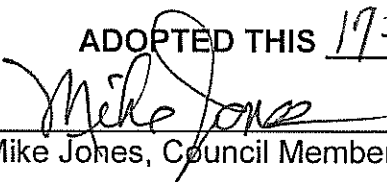
1. When existing positions, which have previously been approved by County Council and funding has previously been appropriated, become vacant by reason of the resignation, retirement, death, illness, or termination of an employee, or

because of the transfer of an employee to another position, may be filled by the department head or elected official.

2. The department head or elected official filling such vacancy shall be responsible for filling out a Personnel Information (P.I.) form and submitting the same to the Auditor of Delaware County for processing.
3. The department head or elected official shall also provide a copy of the P.I. form to the Human Resource department for their records.
4. The Auditor of Delaware County, upon receipt of a valid P.I. form, shall process the new employee; transfer the remaining appropriated funding balance into the new employee line item, referred to as an "A" line; and issue payroll checks according to the P.I. form and salary ordinance.
5. The Auditor of Delaware County shall present to Council at its regularly scheduled meeting the information regarding the "A" line transfer for Council to take formal action.
6. It is the duty of the department head and elected official to ensure that filling the vacancy can be accomplished with the previously appropriated funds. Additional funding for a replacement employee shall not occur without a simple majority vote by County Council.
7. Should the filling of an open position be filled by an existing Delaware County employee, who has 60% of their longevity attached to their base salary, the Auditor shall pay accordingly and County Council shall address the issue at the regularly scheduled meeting so that formal action can occur prior to the line item depleting itself.

8. This ordinance shall not change, amend, or modify the procedure for requesting an additional position or additional appropriations for any department.
9. All department heads and elected officials shall comply with all local, state and federal laws and regulations when filling a vacancy.
10. Any prior ordinance or procedure in conflict with this ordinance is hereby repealed.
11. This ordinance shall be effective upon the date of adoption by the Delaware County Council.

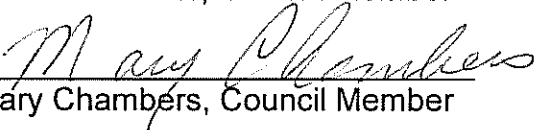
ADOPTED THIS 17th DAY OF DECEMBER, 2013.



Mike Jones, Council Member

Scott Alexander, Council Member

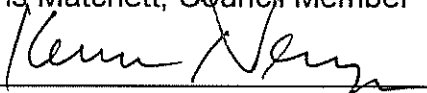
Rick Spangler, Council Member



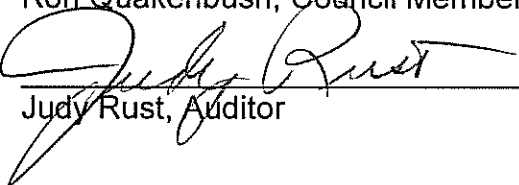
Mary Chambers, Council Member

Chris Matchett, Council Member

Ron Quakenbush, Council Member



Kevin Nemyer, Council President



Judy Rust, Auditor