

RESOLUTION NO. 2013-__

BE IT RESOLVED BY THE QUORUM COURT OF THE COUNTY OF BENTON, STATE OF ARKANSAS, A RESOLUTION TO BE ENTITLED:

A RESOLUTION TO PROVIDE FOR THE INTERIM FILLING OF A VACANCY FOR THE OFFICE OF BENTON COUNTY SHERIFF DURING TIMES OF EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, Act 229 of 2009 was enacted by the General Assembly of the State of Arkansas providing for the interim filling of a vacancy for the office of sheriff during times of emergency; and for other purposes; and

WHEREAS, during a declaration of an emergency or circumstances that warrant a declaration of emergency under *ACA 12-75-107* or *ACA 12-75-108*, a vacancy in the office of Benton County Sheriff due to death or disability, to the degree of inability to perform the duties of office; shall be temporarily filled; and

WHEREAS, a Policy Statement of the Benton County Sheriff shall be issued prior to the incapacity of the sheriff and adopted by Resolution of the Benton County Quorum Court; and

WHEREAS, the Policy Statement shall designate three (3) persons in succession to fill the vacancy in the office of sheriff on an interim basis until such time as the vacancy is filled by the Benton County Quorum Court or the disability of the Benton County Sheriff is abated; and

WHEREAS, persons so designated by the Benton County Sheriff shall be listed in succession and may be identified by title or position. The death or disability of a person in the line of succession shall result in disqualification of the person and appointment of the next successive person; and

WHEREAS, the Benton County Sheriff shall affix his or her signature to the Policy Statement and to the Resolution of the Benton County Quorum Court, to signify that the line of succession for the office of Benton County Sheriff is in accordance with his or her authority; and

WHEREAS, the Benton County Sheriff shall file the Resolution and the Policy Statement with the Benton County Clerk and a file-marked copy shall be provided to the Director of the Arkansas Department of Emergency Management no later than sixty (60) days from the beginning of the elected term of office; and

ITEM "A"

WHEREAS, members of the Benton County Quorum Court are not eligible to fill the vacancy in the office of Benton County Sheriff; and

WHEREAS, it is hereby found and determined that the immediate passage of this Resolution is necessary for the immediate preservation of the public health, safety and welfare.

APPROVED:

KELLY CRADDUCK: COUNTY SHERIFF

ROBERT D. CLINARD. COUNTY JUDGE
DATE SIGNED: _____

ATTEST:

TENA O'BRIEN, COUNTY CLERK
SPONSOR: _____
DATE ADOPTED: _____
Votes For: ___ Votes Against: ___
Abstain: __ Present: ___ Absent: ___