

CHAPTER 16

COUNTY FAIR

16.005 Fair Structure As Matter of County Concern. The County hereby declares the structure, organization and management of the Benton County Fair and Fairgrounds to be matters of County concern under the Benton County Charter. Thus, to the extent that Benton County Code (BCC) Chapter 16 conflicts with state law, BCC Chapter 16 prevails. [Ord. 85-0029; Ord. 88-0054]

16.105 County Fair Board Established. There is hereby established a Benton County Fair Board consisting of not less than three nor more than seven members, appointed for staggered three year terms. The members of the Fair Board shall be appointed, and may be removed, pursuant to BCC Chapter 3 (Citizen Committees). One and only one member of the Benton County Board of Commissioners may be a member of the County Fair Board. The members of the Benton County Fair Board in existence at the effective date of the revisions to BCC Chapter 16 pursuant to Ordinance 96-0116 are confirmed in their positions and shall serve for the remainder of their unexpired terms. [Ord. 85-0029; Ord. 88-0054; Ord. 90-0066; Ord. 96-0116; Ord. 2018-0284]

16.110 Bonds Required. The Board of Commissioners shall require the Fair Board to furnish to the Board of Commissioners, for all members of the Fair Board, a good and sufficient bond issued by a commercial insurance bonding company in favor of the County, conditioned upon the faithful performance of the duties of the office. The bond for each member shall be in a sum equal to \$10,000 or 20% of the total revenues received by the fair in the last fiscal year ending prior to the appointment of such member, whichever is the lesser amount. The premium on the bond shall be paid for by the County Fair Board as an expense of the Fair Board. The Fair Board shall utilize the County's agent of record for purchasing the bond. [Ord. 96-0116]

16.205 Duties of the Fair Board.

(1) The Benton County Board of Commissioners has the exclusive management of the grounds and all other property owned, leased, used or controlled by the County and devoted to the use of the County Fair and Fairgrounds, and is entrusted and charged with the entire business management, financial and other affairs of the County Fair and Fairgrounds. The Board of Commissioners may delegate some, or all, of this authority to the Fair Board, Fair Manager or another County position or department.

(2) In order that the fairgrounds and buildings may be utilized to the fullest extent for pleasure, recreation and public benefit, the Benton County Board of Commissioners shall at all times have the authority to provide fairgrounds facilities for the public or to issue licenses and grant permits for the holding of exhibitions, shows, carnivals, circuses, dances, entertainments or public gatherings upon the fairgrounds. The Board of Commissioners may delegate some, or all, of this authority to the Fair Board, Fair Manager or another County position or department. [Ord. 96-0116; Ord. 2018-0284]

16.210 Organization of Fair Board; Meetings.

- (1) The members of the Fair Board shall, as soon as their bonds have been approved, meet and organize by electing a chair and a vice-chair.
- (2) A majority of the members of the Fair Board shall constitute a quorum for the transaction of all business at meetings. In the absence of the chair, the vice-chair shall perform the duties of the chair. [Ord. 96-0116]

16.305 Policing the Fairgrounds. In order to keep order and preserve the peace during the County Fair and other events held at the Benton County Fairgrounds, and for the protection of the public and private property upon the Fairgrounds, the Benton County Sheriff's Department shall provide either or both regular and reserve deputy sheriffs as requested and approved by the Benton County Sheriff. The Benton County Sheriff's Department and/or the Benton County Sheriff's Reserves shall be reimbursed by the Fair Fund for the costs of providing such service. The Benton County Sheriff or his/her designee shall have sole command and supervision of the Sheriff's deputies and reserves on duty at the Fairgrounds. [Ord. 85-0029; Ord. 88-0054; Ord. 91-0086; Ord. 96-0116; Ord. 2018-0284]

16.310 County Fair Not Held. Should the Fair Board or Board of Commissioners decide not to hold a County Fair, the Board of Commissioners may in its discretion expend such funds, or any portion thereof, for paying premiums upon exhibits of livestock, agricultural and horticultural products at any fair, land products show or livestock exposition held in this state. Any or all of such funds not so used shall be held by the County Treasurer in a reserve fund to be available for use by the Fair Board in subsequent years. [Ord. 96-0116; Ord. 2018-0284]

16.405 Accounting and Auditing. Management and operation of the Fairgrounds and personnel shall utilize Benton County's budget process, finance and accounting systems, payroll services, and personnel services. The Fair Board and the Board of Commissioners may execute a separate agreement detailing the services and method of compensation to the County. The financial activities of the Fairgrounds will be included in the annual financial report (audit) of Benton County. [Ord. 96-0116; Ord. 2018-0284]

16.410 County Fair Fund.

- (1) Benton County shall establish and maintain a Fair Fund. The Fair Fund may be expended only for the promotion and operation of the County Fair and to provide, maintain and improve County Fairgrounds, buildings, facilities and improvements on the County Fairgrounds for the County Fair and other events authorized by the Board of Commissioners or its designee.
- (2) All moneys received from activities conducted at the County Fair or at the County Fairgrounds or facilities shall be deposited in the County fair Fund. [Ord. 96-0116; Ord. 2018-0284]