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**MINUTES OF THE  
REGULAR MEETING OF THE  
WASHINGTON COUNTY QUORUM COURT**

Thursday, July 21, 2016  
6:00 p.m.

Washington County Quorum Court Room

- 200.1 The Washington County Quorum Court met in regular session on Thursday, July 21, 2016. The meeting was called to order by Judge Marilyn Edwards.
- 200.2 B. Pond introduced County Assessor Russell Hill, who led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 200.3 MEMBERS PRESENT: Daniel Balls, Harvey Bowman, Rick Cochran, Robert Dennis, Lisa Ecke, Ann Harbison, Sharon Lloyd, Tom Lundstrum, Eva Madison, Sue Madison, Joel Maxwell, Gary McHenry, Joe Patterson, Butch Pond, and Bill Ussery.
- 200.4 OTHERS PRESENT: Chief of Staff George Butler, County Comptroller Ashley Farber, County Attorney Steve Zega, Sheriff Tim Helder, Assessor Russell Hill, Interested employees and citizens; and Members of the Press.
- 200.5 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 200.6 Judge Edwards stated that she knew of a few additions to the agenda with R. Cochran requesting the addition of #22.1 and #22.2, which were resolutions for grant submissions, and #22.3, which was an appropriation ordinance. She further requested that #22.1, an emergency ordinance ratifying a conditional use permit, be moved up on the agenda following the County Judge's Report.
- 200.7 **R. Cochran made a motion to adopt the agenda with the amendments. The motion was seconded. The motion passed unanimously by voice vote. The agenda was adopted as amended.**
- 200.8 APPROVAL OF MINUTES: Judge Edwards asked if there were any corrections to be made to the Minutes of the June Regular Quorum Court Meeting.
- 200.9 S. Madison stated as she has not had time to read the minutes, she would be abstaining from the vote.

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- 201.1 **L. Ecke made a motion to approve the minutes of the June 16<sup>th</sup> Regular Quorum Court meeting as distributed. R. Cochran seconded. The motion passed with fourteen members voting to approve and one member abstaining. The minutes were approved as distributed.**
- 201.2 TREASURER'S REPORT: County Treasurer Bobby Hill reported that the General Fund, Road Fund, and Jail Fund all did well in the month of June and held their own. He stated that revenues did not keep up with expenditures, but this is not uncommon for this time of year. He noted the County began the month with \$32.2 million in the bank and ended the month with \$33.3 million. He stated that being half way through the year, the County should be at 50% revenues with General being at 54%, Road at 50%, and Jail is at 57%, mostly due to County payments from the State.
- 201.3 B. Hill reported the county's 1% sales tax was somewhat disappointing for the second straight month, collecting \$542,000, which is less than a 1% growth. He stated that the ¼ cent jail sales tax brought in \$736,000, also less than 1% growth. The County is \$217,000 over this same time in 2016. He reported that the Road ½ cent sales tax lost a little ground, but is almost identical to this time last year at \$112,000.
- 201.4 B. Hill addressed Nelson Driver's Employee Insurance Fund Report beginning the month with \$1.5 million and ending the month with \$1.5 million.
- 201.5 Judge Edwards announced that Nelson Driver would report and speak further to the Employee Insurance Fund after the Comptroller's Report.
- 201.6 H. Bowman asked if B. Hill had any projections on what he expected to be going on next year; to which he responded that he should have preliminary projections in September; Russell Hill should provide him with the assessment values in August; and thereafter he should know the property tax revenue projections. He stated in 2014, property taxes were up 2.8%; they jumped by 3.2% in 2015; and he would guess they will have another 3% growth in property tax for 2016; however, sales tax is trending down and he would give it a modest increase estimate at this time.
- 201.7 COMPTROLLER'S REPORT: Comptroller Ashley Farber addressed General Fund Unappropriated Reserves, stating that in June, the appropriation for the Public Defender position came out of this fund. She noted that the Summary of Revenues and Expenditures report does not list any encumbrances and the funds should be running at about 50%

expended for the month. She stated that the Summary Statement of Operations-Expenses by Fund and Department that shows encumbrances and the percent used for each department should be a little higher, but around 50%. She noted the Employee Insurance Fund shows an encumbrance for \$350,000, which represents the insurance claim previously mentioned by Nelson Driver that will need to be paid. A. Farber reported that the County did receive a refund from Workers' Compensation from 2012 for over \$58,000, which was returned to the fund.

- 202.1 S. Madison stated that A. Farber mentioned that the funds should all be running around 50% expended; however, the Drug Court Fund was at 93% expended. A. Farber explained that the Drug Court Fund is a transfer to the General Fund, which makes up the difference between what was budgeted for the transfer and what was actually transferred. This has already been done for the annual expense.
- 202.2 REPORT ON EMPLOYEE INSURANCE FUND: Nelson Driver addressed the Quorum Court stating that the \$350,000 encumbrance does not show up on the June 2016 Employee Insurance Fund balance of \$1,352,845. He reported that the transplant has been done and the County will be getting a bill for that procedure in the amount of \$350,000, which will put the fund right at \$1 million. He reported that the liver transplant was successful and the recipient is doing quite well. He addressed the 2017 health proposal and changes to the actual health plan that the Court will discuss at the special meeting next week. He noted that the County currently has a calendar year deductible of \$345 and the three recommendations are: (A) to put the deductible on par with the County's peer organizations at \$1,000 calendar year deductible which would be a \$348,000 value savings to the plan; (B) going to a \$750 deductible which would be an approximate savings of \$244,000 to the plan; and (C) was to go to a \$500 deductible, which would give an approximate savings of \$180,000 to the plan.
- 202.3 N. Driver stated that the prescription drug co-pay presently is at 10/30/50 and as previously discussed, going to a \$5 increase across the board. This would result in a \$100,000 savings to the health fund. He stated that a raise in the network out-of-pocket expense from \$1,000 stop loss to a \$6,000 stop loss, which was about par with their peer group, would constitute a savings of approximately \$180,000 to the plan. He stated eliminating the end of the year 3-month carry over provision would save the plan about \$20,000; and raising the co-pay for the primary care physician visit from \$25 to \$30 would save the plan approximately \$32,000.

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- 203.1 N. Driver reported that the different levels of deductible estimated plan savings range would be with the \$1,000 deductible approximately \$680,000; with the \$750 deductible approximately \$576,000; and with the \$500 deductible approximately \$260,000 in savings.
- 203.2 N. Driver stated this does not include the Court's discussion about the Wellness Plan Program, which he will get into at the next meeting. He reported that the County is in the RFP process as far as taking bids for their services; they will have to bid out a Wellness Program among other things; and will not have those bid figures in until the end of September. He stated that some preliminary figures that he received from a couple of potential providers on the Wellness Plan include the biometric testing for the lab work cost, which was approximately \$64 per person. He further stated that this Wellness Program would be for the primarily insured and spouse.
- 203.3 N. Driver stated that the decision about what to do with the deductibles and co-pays was going to be tough, but bottom line is that the Court needs to figure out a way to come up with a little over \$820,000 to keep the plan solvent. He noted being asked what it would cost if the County went to a fully-insured program and reported that for health and pharmaceutical claims themselves for 2015, they spent \$3.9 million; and based on those losses, the premium for a fully insured program would be approximately \$5.25 million which is not a locked out guaranteed premium. Therefore, he believes that there is never a time that it makes sense to stop being self-funded and going to fully insured because their increase in cost would be 40% with no guarantees. N. Driver stated that he will discuss all of this further at their next meeting, including Wellness Programs, plan changes as well as the possibility of implementing a dual-plan program with the high deductible health savings account approach with the plan.
- 203.4 In response to a question from T. Lundstrum, N. Driver stated that the excess of loss carrier that provides their stop loss out of their checkbook has the ability at renewal to revisit their claims and they knew this claim was pending last year when they went out for bids. He stated they had three excess carriers flat deny them and their incumbent carrier took a look at it and was originally going to exclude that claim at the level of \$450,000, but their representative with Blue Advantage Administrators negotiated this down to \$350,000. He noted they could have denied this claim completely which would have given them the entire cost.
- 203.5 In response to a question from L. Ecke, N. Driver stated with the carryover provision on health plans, if a deductible has not been reached during the year and they have out-of-pocket medical expense that goes toward the

- deductible in October, November and December, that amount carries over to the next year and goes towards the next year deductible.
- 204.1 R. Cochran stated the past few years they have had to infuse into this fund and it is looking like this will be necessary again with the claim that puts them right at \$1 million and this fund needing to be at \$1.85 million by September 1<sup>st</sup>, asked for N. Driver's recommendation.
- 204.2 N. Driver responded to R. Cochran stating that they budgeted for this last year and increased the health plan budget by \$820,000 with this in mind.
- 204.3 Judge Edwards announced that Nelson Driver will return for their Special Meeting on Thursday, July 28<sup>th</sup> when they can continue this discussion.
- 204.4 AN ORDINANCE APPROPRIATING THE AMOUNT OF \$60,000 FROM THE GENERAL FUND TO THE BUILDINGS & GROUNDS BUDGET FOR 2016: H. Bowman introduced **An Ordinance Appropriating The Amount Of \$60,000 From The General Fund To The Buildings & Grounds Budget For 2016**, and County Attorney Steve Zega read the ordinance that is being recommended by the Public Works Committee.
- 204.5 **R. Cochran made a motion to adopt the ordinance. The motion was seconded.**
- 204.6 Citizen Comments: There were no citizen comments made.
- 204.7 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 204.8 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and G. McHenry. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-41, BOOK NO. 10, PAGE NO. 461**
- 204.9 AN ORDINANCE CHANGING THE TITLE OF THE ASSISTANT GRANT ADMINISTRATOR/LEGAL ASSISTANT POSITION IN THE GRANTS ADMINISTRATOR BUDGET; CREATING THE POSITION OF PARALEGAL IN THE COUNTY ATTORNEY BUDGET; AND, APPROPRIATING THE AMOUNT OF \$20,543 FROM THE GENERAL FUND TO THE COUNTY ATTORNEY'S BUDGET FOR 2016: B. Pond introduced **An Ordinance Changing The Title Of The Assistant Grant**

**Administrator/Legal Assistant Position In The Grants Administrator Budget; Creating The Position Of Paralegal In The County Attorney Budget; And, Appropriating The Amount Of \$20,543 From The General Fund To The County Attorney Budget For 2016, and County Attorney Steve Zega read the ordinance that is being recommended by the Personnel Committee.**

- 205.1 B. Pond explained this was a situation where several years ago, one person filled two part-time positions and this has grown to where the County needs a full-time position to assist the County Attorney.
- 205.2 **B. Pond made a motion to adopt the ordinance. R. Dennis seconded.**
- 205.3 S. Lloyd reported receiving a phone call from a concerned County employee about this position. From speaking with other county employees as well as doing some research, they are concerned that the Court is not going to give County employees a raise if it continues to create new positions. She stated that she agrees with these county employees because the Quorum Court has spoken several times about its goal to give the current county employees a raise. She believes this is burdening the County with an additional \$20,000 for this year, \$45,000 for next year and every year after that. She stated that the Court is getting ready to enter the budget season and will be asking department heads to start cutting their budgets. In speaking with Human Resources and these employees, she is not seeing that this position is really needed. She noted that Renee Biby had stated as the Grants Administrator, there are times when she works 45 hours a week; and as a Middle School Administrator and Teacher, she personally works 45 hours a week a lot of the time. She further stated when she arrives at the Courthouse at 4:45; the parking lot is empty which means to her that there are not a lot of county employees working after 4:30. S. Lloyd stated that the County is in a budget crisis and believes that this is creating a new position that is really not necessary. She further stated she has been told by many that there is a personality conflict between the half-time position for County Attorney Zega and the half-time position from Renee Biby. She suggested that those involved get over this and do the job that they were hired to do. She stated that the Court needs to be mindful of the county employees that it already has and give them a raise if it can.
- 205.4 B. Ussery stated one of the big things that would come from this position is giving them the flexibility to bring in a lot more grant money, so while it will cost the county, the income would be much more substantial than what they are spending. He stated there is actually return for their money with this

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that there is not with hardly anything else they do. He further noted there will also be additional work associated with the monitoring the sewer systems for communities and the income from that will pay for the majority of this salary.

206.1 S. Madison concurs with both S. Lloyd and B. Ussery in a sense as she does think it is in the County's best interest that the Grants and Public Utilities Office be adequately staffed, because there is additional return that can come to the county. She referred to a list of duties associated with the current position that it has, stating that she was astonished at the duties that fell under the Grants Administrator that she assumes have been ignored, such as attending monthly Washington County Planning and Technical Review meetings; checking bonds and letters of credit; maintain records of POA's financial activities; implement and maintain rules and regulations of land development; amend and record minutes of the RDA monthly meetings; prepare monthly meeting packets for RDA. S. Madison stated she is fully in support of having help for the Public Utilities and Grants Administration that the Court thought was happening, but cannot support this ordinance as drafted because she thinks the Court is rewarding bad behavior.

206.2 County Attorney Steve Zega stated he appreciates the job the Quorum Court has to do and thanks them for taking this seriously. He noted that the position of legal assistant was full-time before it was combined with the Grants Administrator job. He further noted that the addition was the Grants Administrator part and not taking someone away from grants. He stated it was not taking anything away, but combining duties and then thought of as a way to increase efficiencies. He stated as County Attorney, he does not come to the Court with an ordinance that says he just saved the County \$300,000, because his office worked hard and deflected some liability in a lawsuit; however, those who sat through the settlement negotiations over the past 16 months and know what happened and where the exposure potentially was, knows what the County Attorney's office does. Lanie helps him all the time and has earned 100 plus hours of comp time in the last 12 months. He noted something he heard a lot during the budget cycle last year is that the Court did not know what impact the lawsuits would have on the County's budget for 2016, and he can report now that those lawsuits had zero impact. One of the reasons is because his office works hard in the County Attorney's office to protect the taxpayer dollars. He stated it makes him uncomfortable to brag, but the efficient functioning of his office makes county government work. He stated his office serves every elected official and department head and when his office does its job right, it can save money for the taxpayers of this county.

- 207.1 S. Zega stated while he appreciates S. Lloyd's statements, she did not speak to him about this and he would appreciate the chance to make his case to her in person. He wishes that it was different, but it is not and he needs full-time help. Without it, the level of legal services to the county will be degraded substantially and what happens to county government will be degraded substantially. He stated he considered asking for a deputy attorney but his numbers did not justify that. He stated that Lanie currently handles numerous bankruptcies and probates, as well as a lot of litigation assistance. He stated as it was presented to him, this position would be budget neutral or budget friendly if in fact the person is able to bring more grants in; is able to negotiate cost sharing agreements; is able to help her get things done that will bring more money into the coffers of Washington County. He urged the court to consider what the County Attorney's office does for them as well when they vote.
- 207.2 S. Madison stated it is her understanding that as County Attorney, when George Butler had full time assistance in his office it was grade 12, while the position being used now is grade 16 which is a difference in pay. She stated so they have upgraded the position and taken half the duties away from the grade 16 job. Further, she stated they recently heard about some compelling needs in the Sheriff's Department that concern her.
- 207.3 T. Lundstrum stated that he sees this issue as a double-edged sword. He stated Steve Zega already has a full-time helper, but it is just being funded out of the Grants Administration budget, which is what needs to be fixed. He stated he has no problems with what the County Attorney's assistant being paid, but his problem is he does not know what to do with the Grants Administration help. They want to hire and he would like to have additional information on that. He is unclear about how much the \$2 per household will bring in on the sewers and does not know why the County is doing it to start with and why the cities are not being responsible for that. He stated he sees this as two totally different issues and this ordinance does not deal with it that way, so he will not be able to support this ordinance, but does support County Attorney Zega having full-time help. He stated he would like to see two separate ordinances dealing with these two issues separately.
- 207.4 L. Ecke paraphrased from "To Kill A Mockingbird", that to really fully understand a person, you need to stand in his or her shoes and walk around in them for a while and then you will understand what they go through. She stated it is easy for the Court to judge and assess others' work, but do not really know what they go through on a day-to-day basis. She admires and respects their county employees and believes they work hard and try to do



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an efficient job. She also believes she can discern the look of stress on people's faces when they are overwhelmed and she has seen that on both County Attorney Zega and Grant Administrator Biby's faces. She stated they need to separate the two and make this right. She still sees it as Ms. Biby should have money in her budget to pay for whatever help she needs, but the issue is getting the money appropriated for Mr. Zega's office so that Ms. Miller can continue the work that she does and is well worth the grade she is given as her background and education calls for that grade.

- 208.1 H. Bowman stated he does not believe there is any question that County Attorney Zega needs help in his office and everything he has heard about his assistant is outstanding; that she does a fabulous job and her credentials are unbelievable for that position and she is probably underpaid based on her credentials. He stated as far as Ms. Biby's situation, there is a lot of gray in what they have heard about that situation and she has said she would be glad to have whatever help she can get. At this point, he believes her budget would have enough to pay a part-time employee for the balance of this year and if the Court can see clear evidence that she needs an initial full-time employee, they can come back later next year and add that person. He stated he would like to see them look at the option of giving Ms. Biby a part-time person and make changes in the budget so that County Attorney Zega's budget reflects compensation for his personnel needs, as well as Ms. Biby's if needed.
- 208.2 S. Lloyd responded to County Attorney Zega, apologizing for not speaking to him about this issue, but she already knew his point of view and had spoken to twelve others and was overwhelmed with that. She stated that a lot of County Attorneys could use the same argument S. Zega used that they all need help and this was nothing personal between anyone, but all a matter of monies and dollars.
- 208.3 R. Cochran asked about the proper procedure to sever the two positions in this ordinance; to which County Attorney Zega responded that this would require drafting another ordinance. He stated since they have a scheduled Special Quorum Court meeting scheduled the following Thursday night, he would suggest that they table this giving them time to separate the two issues into two separate ordinances.
- 208.4 **R. Cochran made a motion to table the ordinance until the next Special Quorum Court meeting on July 28<sup>th</sup>. E. Madison seconded.**
- 208.5 **Judge Edwards called for a vote on the motion to table the ordinance.**

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- 209.1 VOTING FOR: J. Patterson, B. Ussery, D. Balls, H. Bowman, R. Cochran, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and G. McHenry. VOTING AGAINST: B. Pond and R. Dennis. **The motion passed with thirteen members voting for and two members voting against the motion. The ordinance was tabled.**
- 209.2 Executive Assistant Karen Beeks verified that R. Cochran was meaning for these to both go as full time positions and the existing employee's salary would remain where it is currently at a Grade 16 with the money for that position in the budget and the paralegal separation out is a Grade 14, but budgeted at the same hourly rate.
- 209.3 In response to a question from H. Bowman, Court Secretary Karen Beeks verified that there is currently enough money in the Grant Administration budget to pay for a full-time person and they are just changing the title; and if they want to do part-time, they would need to move money from the full-time department.
- 209.4 H. Bowman stated he would like to see them get a more thorough review of Grants Administration responsibilities and duties and what the potential is there for either full-time or part-time position prior to the Special Meeting next Thursday.
- 209.5 J. Maxwell noted that R. Biby had previously given them a list of what grants were available and fees to try to obtain, as well as the additional revenue for the exact number of houses from the corporation areas that they would be managing sewers for. He requested that they also have this information to review at the Special Meeting.
- 209.6 H. Bowman stated that he would also like to know what they could actually draw from the sewers for houses that are there and how much that would contribute to the job she is asking for. He stated he would also like to know the number of empty lots that will potentially come onto the sewer systems to give them a better long-range understanding of what kind of revenue will be coming in to cover this expenditure.
- 209.7 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES OF \$31,167 IN THE JDC GRANT FUND; AND APPROPRIATING \$31,167 FROM THE JDC GRANT FUND TO THE JUVENILE DETENTION CENTER GRANT-IN-AID 2016/2017 BUDGET FOR 2016: R. Cochran introduced **An Ordinance Recognizing Additional Revenues Of \$31,167 In The JDC Grant Fund; And Appropriating \$31,167 From The JDC Grant**

**Fund To The Juvenile Detention Center Grant-In-Aid 2016/2017 Budget For 2016**, and County Attorney Steve Zega read the ordinance.

- 210.1 R. Cochran stated this is another case of their Grants Administrator bringing them money.
- 210.2 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**
- 210.3 In response to a question from B. Ussery, Grant Administrator Renee Biby stated that this is a grant received yearly by the state and helps to supplement JDC's operating budget and is used to purchase material, supplies and equipment or for training.
- 210.4 In response to a question from S. Lloyd, R. Biby stated that they are required to reapply for this grant every year.
- 210.5 Citizen Comments: There were no citizen comments made.
- 210.6 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 210.7 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and G. McHenry. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-42, BOOK NO. 10, PAGE NO. 462**
- 210.8 **S. Madison made a motion to suspend the rules and read Ordinance #11.1 by title only. R. Cochran seconded. The motion passed unanimously by voice vote.**
- 210.9 AN ORDINANCE RECOGNIZING AND APPROPRIATING ADDITIONAL REVENUES OF \$15,691 AND APPROPRIATING \$65,607 IN VARIOUS FUNDS FOR 2016: R. Cochran introduced **An Ordinance Recognizing And Appropriating Additional Revenues Of \$15,691 And Appropriating \$65,607 In Various Funds For 2016**, and County Attorney Steve Zega read the ordinance by title only.
- 210.10 R. Cochran explained that this ordinance appropriates revenue and recognizes some revenue for various funds in the Sheriff's Department. He stated the \$15,691 is for various state and federal Drug Enforcement

items; and the \$65,607 is for monies that have been expended in labor and has already been reimbursed by such as the Walmart Shareholder's Convention work and is actually budget neutral.

211.1 **R. Cochran made a motion to adopt the ordinance. T. Lundstrum seconded.**

211.2 Citizen Comments: There were no citizen comments made.

211.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

211.4 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and G. McHenry. **The motion passed unanimously. The ordinance was adopted.**

**ORDINANCE NO. 2016-43, BOOK NO. 10, PAGE NO. 463**

211.5 AN ORDINANCE APPROPRIATING THE TOTAL AMOUNT OF \$65,221 TO SALARY LINE ITEMS IN THE SHERIFF AND JAIL BUDGETS FOR 2016: T. Lundstrum introduced **An Ordinance Appropriating The Total Amount Of \$65,221 To Salary Line Items In The Sheriff And Jail Budgets For 2016**, and County Attorney Steve Zega read the ordinance.

211.6 T. Lundstrum explained this money was to cover the flex slot positions that the Sheriff brought to the Court. He noted that some people on the long list had met the requirements by going through training and some have not. Those people will not receive this extra money until the required training is completed. He stated they are making this \$65,221 appropriation to this program to get the County's officer salaries up to where they are commensurate with other salaries in Benton County, Fayetteville and Springdale.

211.7 **T. Lundstrum made a motion to adopt the ordinance. A. Harbison seconded.**

211.8 In response to a question from A. Harbison, it was verified that this money is coming out of unappropriated reserves.

211.9 Citizen Comments: There were no citizen comments made.

- 212.1 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 212.2 VOTING FOR: J. Patterson, B. Pond, B. Ussey, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and G. McHenry. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-44, BOOK NO. 10, PAGE NO. 465**
- 212.3 COUNTY JUDGE'S REPORT: Judge Edwards stated at the request of the Washington County Bar Association, she is asking that Stephen Parker be re-appointed to the County Law Library Board for a 5-year term to expire in the Year 2021.
- 212.4 **A motion was made and seconded to approve the reappointment of Stephen Parker to the County Law Library Board. The motion passed unanimously by voice vote. The reappointment was approved.**
- 212.5 Report from County Extension Agent: Berni Kurtz, County Extension Agent Staff Chairman, addressed the Quorum Court stating that the Extension Office has a hard working staff of 13. He stated he wanted to report on activities of the Extension Service this year, noting that he was three members short on staff and the Quorum Court appropriated funds to allow him to hire two people to support the existing staff. He reported he hired a County Extension Agent that has animal science training and real experience working with livestock producers in Washington County. He stated that he further hired a 4-H Program Assistant from a large field of applicants who has tremendous background in youth education, specifically wildlife education. He reported the 4-H Program Assistant has been doing some summer 4-H programs and he is quite impressed with the quality that she is presenting. He stated with the one vacancy that he has had, with regard to servicing clients of Washington County to date, they have serviced the same number of clients with the same number of accomplishments, putting in 60 plus hours a week. He noted some concern with burn-out with a couple of employees, but he is hoping to survive this and is thankful for the Quorum Court's support of the need that they have.
- 212.6 B. Kurtz stated that Washington County currently does not have a 4-H Agent and compared to Benton County who has two full-time 4-H Agents, Washington County is neck and neck and beating Benton County in some

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areas. He explained that there are 75 counties in Arkansas and each year they have record book winners in various subject areas, but the list of those possibilities are small in comparison to their 4-H youth which totals approximately 500 youth active in their County 4-H Program. However, statewide only 25-28 of those youth are recognized as project record book winners and they have 4 in Washington County which is a great achievement. He stated this is reflective on their outstanding staff and the extra commitment they have to the youth of Washington County.

- 213.1 B. Kurtz stated that the grounds and office that the County has provided is being maintained by volunteers from the Master Gardener Program and that project won the State Project of the Year this year. He stated that they have been trying to break into the Marshallese community and work with them to change their eating habits as they have a health crisis in eating American food with a propensity of having dietary issues. He reported that their Family Consumer Sciences Program has been working with the Marshallese community this year to enroll families to attend at least 8 trainings to help them understand what they eat affects their bodies and health. He noted they are working with over 100 Marshallese this year and continue to have tremendous results working with the Hispanic community as well.
- 213.2 B. Kurtz stated with the 2017 budget season starting, he voiced his desire to have a full-time 4-H agent.
- 213.3 L. Ecke stated she is very impressed with the job the junior staff is doing with the 4-Hers and believes that these kids are the County's 401K and if they invest in their future, then they will be receiving returns on that investment for years to come and make Washington County all the better. She stated these kids are bright and intelligent and when they graduate from college, their applications are first on the list for a lot of employers who know they have been well-trained in ethics, fundamentals, and common sense.
- 213.4 J. Maxwell stated that it looks like the Extension Service has taken a little bit and made it stretch to do a lot over the last budget year. He noted that the core issue is that the State decided not to fund the portions that they needed and when they were discussing this last year, they talked about reproaching the state and encourage them to pick up the slack, inquiring about an update on those talks.
- 213.5 B. Kurtz responded to J. Maxwell stating that this is not an area that he does, but rather there is Extension Administration that works on this. He

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- has heard from the Extension Administration that this support being asked by all counties is not going away and even though the state may come through with some funds, the support will not return to where it was.
- 214.1 A. Harbison stated that they have the Washington County Fair coming up the end of August, first of September and with hundreds of volunteers from this county, the Washington County Extension Service puts on one of the best fairs in the state. She encouraged everyone to attend the Fair this year to see the great job 4-H is doing.
- 214.2 B. Kurtz concurred with A. Harbison stating that they all need to be proud of the Washington County Fair which is the largest in the state. He stated that besides the Washington County Extension Office, they have a number of wonderful strong Vo-Ag Departments in the high schools that assist as well. He noted that the Fair is always the last week of August, into the first few days of September.
- 214.3 S. Madison stated it was her understanding that it was not the State Legislature and Governor that cut funding for Extension Offices, but was the University of Arkansas Department Division of Agriculture.
- 214.4 B. Kurtz responded to S. Madison that the revenue stabilization process that the State Legislature has in place cut the support that the Legislature had supported for the Division of Agriculture which the County Extension Office fell under. He stated what was funded through the Legislature after the revenue stabilization they were at level funding and no funds were moved around by the Division of Agriculture.
- 214.5 S. Madison stated she does not understand how the Extension Office ended up short then as the Court was told that the counties would have to pick up the slack.
- 214.6 B. Kurtz stated that all 75 counties and county agents have not come to the Quorum Courts for an increase to the support that went back to 2001 from the last time they asked, and a request had not been made to increase that until last year. He stated the State Legislature has not increased any funding to the Division of Agriculture for 8 years and salaries increased with the same amount of money, so they cannot have the same number of employees they had ten years ago. He stated vacancies occurred in his office at a time when there was no money, one of his agents went to Texas A&M as a county agent; one of his agents is now staff chairman in Benton County; and the other left them because of health reasons.

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- 215.1 S. Madison stated the Legislature in general has not exactly been showering higher education with money; to which B. Kurtz responded that the Extension Office is part of the University of Arkansas system, which is funded separately and when they hear that that the higher ed is allowing tuition increases, none of that money transfers over to the Division of Agriculture.
- 215.2 Report from Washington County Planning Office: Juliet Richey, Washington County Planning Director, addressed the Quorum Court to give an update on the County Dirt Pit. She reported that the County Planning Board met on July 12<sup>th</sup> to hear a report, discuss and deliberate on the proposed dirt pit facility between Brentwood and Winslow on the East side of Hwy. 71. She stated at that meeting county staff heard the detailed plan for the pit to the Board and the plans for the pit were collaboratively created by the Planning Office, County Chief of Staff, County Road Department, County Contract Engineer and the County Environmental Affairs Office. She reported that County staff assured that the statutory process was followed and went above and beyond statutory requirements in some aspects to assure that a quality plan was created. She reported at that meeting after fully reviewing staff report and plan for the site, prepared at the direction of Raney Laney, County Planning Board Chairman, the Washington County Planning Board found that the County staff had collaboratively created a good plan for the proposed county dirt pit and for all reasons stated in the staff report, the Planning Board felt that the proposal would create a compatible, environmentally sound, and safe development which generally adheres to the intent, principals and consideration of the County's adopted land use plan. The Planning Board members present voted unanimously for the proposal that the County Road Department proceed with the plan for development with a list of conditions. She stated the statutory process was somewhat different from their standard process for development, but encompassed many of the same issues such as dust suppression, environmental issues, compatibility for surrounding property owners, notification of neighbors, permitting through ADEQ and other appropriate bodies.
- 215.3 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: A. Harbison introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and County Attorney Steve Zega read the ordinance. This ordinance contains an emergency clause making it in effect immediately upon passage.



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- 216.1 A. Harbison stated that this was a family split of 1.5 acres into two lots and meets all county regulations.
- 216.2 **A. Harbison made a motion to adopt the ordinance. B. Pond seconded.**
- 216.3 In response to a question from S. Lloyd on why this ordinance had the emergency clause, County Attorney Steve Zega explained that they usually do these with emergency clauses because they want to give the developer the opportunity to go ahead and start. He stated that zoning acts are purely legislative acts, this keeps a four month delay from happening and they have done this with every other zoning ordinance passed by this court.
- 216.4 Citizen Comments: There were no citizen comments made.
- 216.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 216.6 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and G. McHenry. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-45, BOOK NO. 10, PAGE NO. 468**
- 216.7 **A short recess was taken at this time.**
- 216.8 COMMITTEE REPORTS: E. Madison stated that the County Services Committee met on July 5<sup>th</sup> and heard a report from the Planning Office and from Angela Ledgerwood from the County Animal Shelter with reports fairly routine. She stated that they discussed the feral cat colonies and the Trap, Neuter and Release "TNR" Program where the cats are caught, neutered or spayed, and then released back, usually with an entity associated with the Humane Society of the Ozarks. She stated it was also clarified that there is not a fee to drop off an animal at the Animal Shelter. She noted the remaining items discussed by the committee appear on this meeting's agenda.
- 216.9 H. Bowman reported that the Public Works Committee met on July 5<sup>th</sup> and had a fairly enthusiastic discussion about the use of GPS devices on county vehicles. He reported that the Committee learned that there has been a problem with some of the GPS units that were sent for a trial basis, that are being exchanged for the most updated units available. He stated they

hope to have those units installed and have some information available to report at the next meeting. He stated that Buildings & Grounds Superintendent Ron Wood gave a report including numerous HVAC units, some up to 30 years old, that they will probably have to deal with in the near future. R. Wood further discussed the process voted to approve at this meeting regarding the carpet. He further noted that they will probably be looking at as much as \$300,000 next year to seal the parking deck, as well as other miscellaneous items including a roof on a building at the Road Department.

- 217.1 B. Pond reported that the Personnel Committee met on July 11<sup>th</sup> and had a JESAP Committee report by Salary Consultant Blair Johanson who reported that JESAP identified a few positions that were evaluated and rated at the most recent meeting, including a Paralegal at the County Attorney's Office and Public Utility Assistant Grant Administrator with the Grants Administration Department. He stated that the Paralegal position has been rated at a Grade 14 with a salary range between \$29,690 and \$39,587; and the Public Utility position rated at a Grade 16 with a minimum salary of \$32,704 up to \$43,605. He reported that they discussed employee needs of the County Attorney and County Grant Administrator's Office with a motion to separate the position into two separate positions and unanimous recommended do-pass to the Full Quorum Court. He noted that the Court voted this evening to separate the two positions into two separate ordinances.
- 217.2 B. Pond stated that he read an excerpt from the Minutes of the Regular Quorum Court Meeting of November 10, 2011, regarding Judge Edwards position on the millage reduction. He reported that Judge Edwards had advised that the Court not reduce the millage and if they were going to, to make it only about half as much as they actually did.
- 217.3 T. Lundstrum reported that the Jail/Law Enforcement/Courts Committee met this month on July 11<sup>th</sup> and heard reports from the Juvenile Detention Center and Adult Detention with most reports pretty standard. It was reported that the County's animal calls are up slightly, mainly due to the time of year, and not because of the changed ordinance. Sheriff Helder reported that the County Law Enforcement employees are underpaid and brought forth his recommendation that was passed earlier, correcting that situation. Rick Hoyt had presented a comparison of pay between Benton and Washington Counties, Fayetteville and Springdale, and Washington County rated the lowest in all but two positions.

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- 218.1 T. Lundstrum stated that the Committee heard a resolution requesting the State of Arkansas to fully fund the cost of housing and caring for state prisoners was discussed with a resolution on this agenda, which was recommended for a do-pass recommendation to the Full Quorum Court. He stated that resolution, along with a letter from Judge Edwards and Sheriff Helder will be given to Robin D. Lundstrum, State Legislator to attempt to get a bill presented before the Legislature to fully fund these county expenses. He noted that Governor Asa Hutchison was bragging last night at the Republican National Convention that he has \$177 million extra money and wants to reduce income tax slightly. He concurred with reducing taxes when possible, but he would first like to see that the county's bills are paid. He noted the unfunded mandates that come from the state constantly increasing their cost of doing business, while the county keeps diminishing in size and revenue because of annexation of the cities.
- 218.2 B. Ussery, Chairman of the Ordinance Review Committee, reported that this committee met on July 18<sup>th</sup> and is slowly working their way through these and held a discussion on setting agendas, a portion of which will be addressed later in this meeting.
- 218.3 AN ORDINANCE AMENDING WASHINGTON COUNTY CODE SECTIONS 2-1, 16-11, AND 16-12: B. Ussery introduced **An Ordinance Amending Washington County Code Sections 2-1, 16-11, And 16-12**, and County Attorney Steve Zega read the ordinance that is being recommended by the Ordinance Review Committee.
- 218.4 **B. Ussery made a motion to suspend the rules and place the ordinance on second reading by title only. B. Pond seconded.**
- 218.5 **Judge Edwards called for a roll call vote on the motion to suspend the rules and place the ordinance on second reading by title only.**
- 218.6 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and G. McHenry. **The motion passed unanimously.**
- 218.7 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Sections 2-1, 16-11, And 16-12** by title only.
- 218.8 **B. Ussery made a motion to suspend the rules and place the ordinance on third and final reading by title only. B. Pond seconded. The motion passed unanimously.**

- 219.1 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Sections 2-1, 16-11, And 16-12** by title only.
- 219.2 **B. Ussery made a motion to adopt the ordinance. R. Cochran seconded.**
- 219.3 Citizen Comments: There were no citizen comments made.
- 219.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 219.5 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and G. McHenry. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-46, BOOK NO. 10, PAGE NO. 471**
- 219.6 AN ORDINANCE AMENDING WASHINGTON COUNTY CODE SECTION 2.7-35: E. Madison introduced **An Ordinance Amending Washington County Code Sections 2.7-35**, and County Attorney Steve Zega read the ordinance that is being recommended by the County Services Committee.
- 219.7 E. Madison stated that Ms. Ledgerwood brought this ordinance to the County Services Committee because she had a situation where an animal was brought into the Shelter in need to medical attention that the Shelter could not provide, but that the animal was not spayed or neutered. She noted by making these changes, it allows her office to release an animal on a temporary basis or in the case where the Shelter Veterinarian found that it was not medically appropriate to spay or neuter an animal, giving a little more flexibility at the discretion of the Shelter Veterinarian as to whether they spay or neuter immediately or defer that.
- 219.8 **E. Madison made a motion to suspend the rules and place the ordinance on second reading by title only. R. Cochran seconded. The motion passed unanimously.**
- 219.9 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Section 2.7-35** by title only.
- 219.10 **E. Madison made a motion to suspend the rules and place the ordinance on third and final reading by title only. R. Cochran seconded. The motion passed unanimously.**

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- 220.1 County Attorney Steve Zega read **An Ordinance Amending Washington County Code Sections 2.7-35** by title only.
- 220.2 **E. Madison made a motion to adopt the ordinance. R. Cochran seconded.**
- 220.3 In response to a question from S. Lloyd, E. Madison stated that the \$200 has always been in the ordinance and they are not adding to the cost for citizens.
- 220.4 Citizen Comments: There were no citizen comments made.
- 220.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 220.6 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, J. Maxwell, and G. McHenry. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2016-7, BOOK NO. 10, PAGE NO. 473**
- 220.7 **E. Madison made a motion to suspend the rules to read #17.1 by title only. The motion was seconded. The motion passed unanimously by voice vote.**
- 220.8 A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF PRAIRIE GROVE REGARDING THE REGULATION OF COMMUNITY SEWER SYSTEMS: E. Madison introduced **A Resolution Approving An Interlocal Agreement With The City of Prairie Grove Regarding The Regulation Of Community Sewer Systems**, and County Attorney Steve Zega read the resolution by title only. The resolution is being recommended by the County Services Committee.
- 220.9 E. Madison stated that #17.1 and #18.1 are very similar, but just deal with different cities of Prairie Grove and Goshen approving an interlocal agreement whereby their Grants Administrator/Public Utilities Coordinator would monitor those community sewer systems so they would have some consistency within the county on those and in exchange, they would collect a fee from the users of those systems.
- 220.10 **E. Madison made a motion to adopt the resolution. The motion was seconded.**

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- 221.1 B. Ussery stated that he visited with County Attorney Steve Zega and Grants Administrator/Public Utilities Coordinator Renee Biby about the \$2 fee and how this works. He stated that it seems like the \$2 is a reasonable fee and would be enough to cover the money that they collect. He stated it is his understanding that this fee is collected along with POA fees and if they were to raise it by \$1, the POA's will raise it by \$3 to their constituents. He stated rather than create a domino effect, he thinks the \$2 makes the most sense all the way around.
- 221.2 R. Biby stated their discussion was that \$2 was adequate and if they raised it anymore beyond that, it could create a hardship for the subdivisions. She noted in addition to the \$2 fee, she is being required to put up long term reserves and five years operating expenses per their ordinance, so she is hesitant to raise the \$2 fee.
- 221.3 In response to a question from S. Lloyd about who had asked for this interlocal agreement, County Attorney Steve Zega stated that he contacted Prairie Grove at R. Biby's suggestion, but this was done before at some point with another municipality.
- 221.4 R. Biby stated with its previous ordinance, the County had interlocal agreements with the cities of Farmington and Fayetteville, but did not have an interlocal agreement with Goshen. She reported that S. Zega, Planning Director Juliet Richey, and she had several meetings regarding this matter. When the legislation on what the county needed to do to ensure that these sewer systems were operating in good condition changed in 2015; it was thought the best way would be to have uniform rules throughout the entire county. She stated that S. Zega contacted the cities to see if they were interested, which they were, and that is why they are here with these resolutions.
- 221.5 S. Lloyd asked if S. Zega felt these cities were enthusiastic about this or just felt like they were trying to accommodate the county; to which he responded that the cities immediately responded in favor.
- 221.6 R. Biby noted that the operator of several of these sewer systems in Goshen is at this meeting if the court has any questions.
- 221.7 Citizen Comments: Kathy and Tom Bartlett, owners of Northwest Arkansas Utility Services, addressed the Quorum Court stating that they operate a number of community sewer systems in Washington County. K. Bartlett stated that she and her husband are at the meeting because of the ordinance that passed in April regarding community sewer systems. She

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stated that their customers are concerned and would like to know if the rate structure would have to be changed to offset these additional fees. She further stated that she wants an explanation of what the county was actually doing that the State of Arkansas is not as far as administering, enforcing, and overseeing the sewer systems.

- 222.1 T. Bartlett stated that he and his wife have to answer to their customers because the billing goes through them. This means that when they raise the fees, then they have to explain about why the new fees are coming. He stated that they are unsure of who is doing what; why the \$2; and what is Washington County doing that the State of Arkansas is no longer doing?
- 222.2 County Attorney Steve Zega responded to the Bartletts, stating in 2002 or 2003, Washington County enacted in response to what it knew as the beginning of decentralized sewers that became community based sewers. This included a fairly comprehensive ordinance about what would be going on with these community based sewers. He stated that the ordinance was amended in 2005 and again in 2006, and basically stood unaltered until 2014. This was when the Quorum Court voted to disband that ordinance structure altogether, since the state had very similar statutory guidelines. He stated that during the legislative session in 2015 the entire section of the Arkansas Code was and no longer was there have the kind of oversight of these systems that the County had done. The rationale for passing that ordinance was that the County wanted to ensure financial liability. He stated that the basic reason was that community based sewer systems were no longer overseen by the state except to this one extent; they are regulated and overseen as to financial responsibility for failure. That pool is \$1.5 million that is paid statewide and is not allowed to exceed \$2.1 million. He further stated that 1-2 catastrophic failures could potentially exhaust that pool.
- 222.3 K. Bartlett further explained that S. Zega refers to House Bill 1314, which came out in May 2005. It did not repeal the financial assurance, but reworded it because it was a hardship on the permit holders within the state. Since legislation had said that it had to have some certain financial mechanism in place and it was very difficult for the permit holders to obtain, so the law was rewritten so that there was money being paid in at the same time the permit fees were paid to build up the trust fund. She stated she is still confused with how the additional fees that the county is now asking for alter, change, or improve what the state has in place.
- 222.4 T. Bartlett stated that he understands that there may be some new positions created in the County, which would require more money coming in;

however, he has to answer to his customers who are looking for what the County is actually doing for them other than just charging more money.

- 223.1 S. Zega stated that the ordinance was passed in April and he is happy to have the discussion in more detail, but he does not know if this is the right forum for that.
- 223.2 **S. Madison called for a point of order.** She stated this is public comment on this resolution and the Bartletts have questions that go back to the ordinance that has already been passed.
- 223.3 T. Bartlett stated the reason he raised it has to do with the interlocal agreement with Goshen where his treatment plant was located. He further stated that if this does pass, he has to explain to his customers what these fees are about, which is what he is asking.
- 223.4 S. Lloyd questioned whether this could be placed on the Special Meeting agenda next week and get the Bartletts an answer by that time.
- 223.5 Judge Edwards suggested that the Bartletts set up an appointment with County Attorney Steve Zega and Community Utilities Coordinator Renee Biby and asked Executive Assistant Karen Beeks to set this appointment and notify the Bartletts.
- 223.6 **J. Maxwell made a motion to table Resolution #17.1 until the next Quorum Court meeting. S. Lloyd seconded. The motion passed unanimously by voice vote. The ordinance was tabled.**
- 223.7 R. Cochran stated that since Resolution #18.1 basically deals with the same thing, that the Court should table it as well.
- 223.8 **R. Cochran made a motion to table Resolution #18.1. S. Lloyd seconded. The motion passed unanimously by voice vote. The ordinance was tabled.**
- 223.9 AN ORDINANCE AUTHORIZING THE COUNTY TO DO BUSINESS WITH KORY WEATHERS AND KASEY WEATHERS: E. Madison introduced **An Ordinance Authorizing The County To Do Business With Kory Weathers And Kasey Weathers**, and County Attorney Steve Zega read the ordinance that is being recommended by the County Services Committee.



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- 224.1 E. Madison stated that Kory and Kasey Weathers have come to the Quorum Court in a planning stage. They are not currently doing business with the County; however, they hope to do business with the County in the future. She stated that T. Lundstrum made some comments in committee about what was truly the specialized nature of the equipment and whether or not there were unusual circumstances. She stated that one thing that gives her pause is that the Weathers speak of selling specialized equipment and the unusual circumstance is that they are the only distributor of this type of equipment; however, the ordinance gives them authority to do business on a full scale. She suggested that someone else may want to be the sponsor of this ordinance as she is generally having a challenge with these types of ordinances.
- 224.2 B. Pond stated that he would be pleased to be the sponsor for this ordinance. He stated that the reason for this ordinance is because the Weathers are related to a county employee, and he does not feel like discriminating against county employees in anyway.
- 224.3 **B. Pond made a motion to suspend the rules and place the ordinance on second reading by title only. R. Dennis seconded.**
- 224.4 **Judge Edwards called for a roll-call vote on the motion to suspend the rules.**
- 224.5 VOTING FOR: B. Pond, B. Ussery, D. Balls, R. Dennis, L. Ecke, A. Harbison, and G. McHenry. VOTING AGAINST: H. Bowman, R. Cochran, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. ABSTAINING: J. Patterson. **The motion failed with seven members voting for, seven members voting against the motion, and one abstention.**
- 224.6 **R. Cochran made a motion to indefinitely table Ordinance #19.1. The motion was seconded.**
- 224.7 L. Ecke suggested this ordinance needs some work in setting some parameters. She stated she believes that the county has a need and this agreement could be beneficial; however, it needs to set out specifically who the County can do business with. She stated that the Weathers came to the Court in good faith because they want to be above board and do what is right.
- 224.8 T. Lundstrum stated that when the Committee looked at this before, one of the problems he had is when it looked into the details. Basically what the

Weathers are selling are flashlights and there are many people selling flashlights in a lot less than 90 miles of Washington County. He noted that there is a police supply store in Springdale that sells as good a flashlight as you can buy that go to Sheriff and Police Departments. He noted the Weathers may expand their line later on, but he does not believe that these extenuating circumstances literally exist. Further, he stated he does not like the perception left with people in the county when the County purchases from county employees.

- 225.1 **With no further discussion, Judge Edwards called for a vote on the motion to table.**
- 225.2 VOTING FOR: B. Ussery, H. Bowman, R. Cochran, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Maxwell. VOTING AGAINST: B. Pond, D. Balls, R. Dennis, L. Ecke, A. Harbison, and G. McHenry. ABSTAINING: J. Patterson. **The motion passed with eight members voting for, six members voting against the motion, and one abstention. The ordinance was tabled indefinitely.**
- 225.3 A RESOLUTION REQUESTING THE STATE OF ARKANSAS TO FULLY FUND THE COSTS OF HOUSING AND CARING FOR STATE PRISONERS IN COUNTY JAILS WITHOUT TAKING SAID FUNDING FROM OTHER RESOURCES DUE TO COUNTIES: T. Lundstrum introduced **A Resolution Requesting The State Of Arkansas To Fully Fund The Costs Of Housing And Caring For State Prisoners In County Jails Without Taking Said Funding From Other Resources Due To Counties**, and County Attorney Steve Zega read the resolution that is being recommended by the Jail/Law Enforcement/Courts Committee.
- 225.4 T. Lundstrum stated that the Court discussed this earlier, but he wanted to reiterate the fact that according to the Sheriff, it costs the County \$66.98 a day to house a prisoner. The state increased its revenue by \$2 a day to \$30, so the State is paying less than half of the cost to house these prisoners.
- 225.5 **T. Lundstrum made a motion to adopt the resolution. R. Cochran seconded.**
- 225.6 County Attorney Zega stated that he drafted this resolution a couple of weeks ago and at that time the county was housing 146 State prisoners out of a total population of 597 detainees, but this may not be accurate currently.

- 226.1 E. Madison concurred with T. Lundstrum adding that the State is sitting on a pile of money and indicate spending that money by giving a tax cut when every county in the state is suffering as a result of the state not covering the cost of housing prisoners in our county jails. She pointed out that the state is making money because it cannot house prisoners for what it is paying the county. She stated in preparing for the Association of Counties meeting later in August, there has been discussion about all the things the County pays for that are state functions, including the cost of the Circuit Courts. She stated the way the Courts are supposed to be paid for is with a turn back, but the turn back does not begin to cover those expenses.
- 226.2 T. Lundstrum noted in Article 2, it is stated that these monies should not be taken from turn back funds.
- 226.3 H. Bowman stated based on these numbers, the \$36 difference per prisoner the County is not being paid equals \$5,256 per day on the prisoners the County is holding for the State. With the number of days that these prisoners are being held, he is talking about a lot of money.
- 226.4 Citizen Comments: There were no citizen comments made.
- 226.5 **With no further discussion, Judge Edwards called for a voice vote on the motion to adopt the resolution. The motion passed unanimously by voice vote. The resolution was adopted.**
- RESOLUTION NO. 2016-16, BOOK NO. 3, PAGE NO. 149**
- 226.6 A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY, SOLID WASTE MANAGEMENT DIVISION:  
R. Cochran introduced **A Resolution Authorizing The Submittal Of A Grant Application To The Arkansas Department Of Environmental Quality, Solid Waste Management Division**, and County Attorney Steve Zega read the resolution.
- 226.7 R. Cochran explained that this was a resolution authorizing the County Judge to submit a grant application in the amount of approximately \$7,000 with no match required by the county.
- 226.8 **R. Cochran made a motion to adopt the resolution. A. Harbison seconded.**
- 226.9 Citizen Comments: There were no citizen comments made.

227.1 **With no further discussion, Judge Edwards called for a voice vote on the motion to adopt the resolution. The motion passed unanimously by voice vote. The resolution was adopted.**

**RESOLUTION NO. 2016-17, BOOK NO. 3, PAGE NO. 149**

227.2 A RESOLUTION AUTHORIZING THE SUBMITTAL OF COMMUNITY FIRE PREVENTION GRANT APPLICATION: R. Cochran introduced **A Resolution Authorizing The Submittal Of Community Fire Prevention Grant Application**, and County Attorney Steve Zega read the resolution.

227.3 R. Cochran explained that this was a resolution authorizing the County Judge to submit a grant application in the amount of approximately \$4,000 with no match required by the county.

227.4 **R. Cochran made a motion to adopt the resolution. A. Harbison seconded.**

227.5 Citizen Comments: There were no citizen comments made.

227.6 **With no further discussion, Judge Edwards called for a voice vote on the motion to adopt the resolution. The motion passed unanimously by voice vote. The resolution was adopted.**

**RESOLUTION NO. 2016-18, BOOK NO. 3, PAGE NO. 149**

227.7 AN ORDINANCE TRANSFERRING MONIES OF \$4,859 FROM FINANCIAL MANAGEMENT BUDGET TO THE PURCHASING BUDGET FOR 2016: R. Cochran introduced **An Ordinance Transferring Monies Of \$4,859 From Financial Management Budget To The Purchasing Budget For 2016**, and County Attorney Steve Zega read the ordinance.

227.8 R. Cochran explained that this is an ordinance to transfer money from the Financial Management Budget to the Purchasing Budget for part-time wages to move to the department in which that employee is actually working.

227.9 R. Cochran referred to an e-mail to Ashley Farber from Nelson Driver requesting some part-time help in the inventory process of our assets.

227.10 Comptroller Ashley Farber addressed the Quorum Court stating that she is asking to transfer the money from her current budget to Purchasing budget. She stated that Purchasing is currently trying to inventory each department

within the County, something that is done each year; however, now it has to step up and take responsibility to make sure that all criteria is met for insurance purposes. She stated that this is basically budget neutral, but will get them some help that will work enough hours in August through September, but would not qualify for insurance or retirement.

228.1 **R. Cochran made a motion to adopt the ordinance. A. Harbison seconded.**

228.2 S. Lloyd asked if this person would be done at the end of September, to which A. Farber responded that she would actually like to have someone until the end of the year, because this is a huge process. She noted the two girls working in the Purchasing Department do not have the hours to put in to inventory every department, including the offsite and shop locations. She stated this person will get them started, but she is only asking for this amount of time in order to keep it budget neutral.

228.3 Citizen Comments: There were no citizen comments made.

228.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

228.5 VOTING FOR: J. Patterson, B. Pond, B. Ussery, D. Balls, H. Bowman, R. Cochran, R. Dennis, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, J. Maxwell, and G. McHenry. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2016-48, BOOK NO. 10, PAGE NO. 476**

228.6 OTHER BUSINESS: R. Dennis stated that he has put forth an ordinance on employee raises and if anyone is interested in co-sponsoring the ordinance, then he or she should contact Court Secretary Carly Sandidge.

228.7 Judge Edwards reminded the Quorum Court about the upcoming Special Quorum Court meeting next Thursday, July 28, at 5:30 p.m. She stated that the agenda packets have been distributed; and the Court will be discussing employee insurance and salaries, as well as a couple of items that will be added from tonight's meeting.

228.8 CITIZEN COMMENTS: Steve Zega addressed the Quorum Court stating that the first appeal under the new Potentially Dangerous and Hazardous Animal Ordinance happened at the beginning of this month and he believes the process worked well. He reported that the animal owner and aggrieved

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citizens both felt like they were heard and the Sheriff's Office had a chance to weigh in as well. He stated that his belief is that the system the Court designed is working.

- 229.1 In response to a question from E. Madison, Steve Zega reported that the potentially dangerous determination was upheld.
- 229.2 R. Cochran thanked County Attorney Steve Zega for his help in drafting the dangerous animal ordinance.
- 229.3 ADJOURNMENT: The meeting adjourned at 8:24 p.m.

Respectfully submitted,



Carly Sandidge  
Quorum Court Coordinator/Reporter