

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

Thursday, September 15, 2016
6:00 p.m.
Washington County Quorum Court Room

2016 DEC 21 PM 1:28
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

- 313.1 The Washington County Quorum Court met in regular session on Thursday, September 15, 2016. The meeting was called to order by County Judge Marilyn Edwards.
- 313.2 R. Cochran led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 313.4 MEMBERS PRESENT: Daniel Balls, Rick Cochran, Robert Dennis, Lisa Ecke, Ann Harbison, Sharon Lloyd, Tom Lundstrum, Eva Madison, Sue Madison, Gary McHenry, Joe Patterson, Butch Pond, and Bill Ussery.
- 313.5 MEMBERS ABSENT: Harvey Bowman, and Joel Maxwell.
- 313.6 OTHERS PRESENT: Chief of Staff George Butler, County Comptroller Ashley Farber, Interested Citizens; and Members of the Press.
- 313.7 ADOPTION OF THE AGENDA: Judge Edwards noted that there were some changes to be made to the agenda.
- 313.8 E. Madison stated that County Attorney Steve Zega has requested that the Court delay and remove items #22 and #23, which are the resolutions and Interlocal Agreements with the Cities of Prairie Grove and Goshen regarding regulation of community sewer systems, from the agenda, as he is still working on them. She further noted that agenda item #6, Approval of Minutes needs to be removed as there are no minutes ready to be approved at this time.
- 313.9 R. Cochran requested that since the Court has a very lengthy agenda, it moves agenda item #10, discussion of County millage rates for 2016, to the next regularly scheduled Budget/Finance Committee Meeting.
- 313.10 **S. Madison made a motion to adopt the agenda with the changes requested by E. Madison and R. Cochran; and that the Court suspend the rules and read the ordinances by title only with the resolution read in full. B. Pond seconded.**

- 314.1 **Judge Edwards called for a roll call vote on the motion to adopt the agenda.**
- 314.2 **VOTING FOR: B. Ussery, D. Balls, R. Cochran, L. Ecke, A. Harbison, T. Lundstrum, E. Madison, S. Madison, G. McHenry, J. Patterson, and B. Pond. The motion passed unanimously by those present. The agenda was adopted with changes.**
- 314.3 **CITIZEN COMMENTS:** Judge Edwards announced that they have changed the rules over the last couple meetings and are taking the 15-minute citizen comment period at this time.
- 314.4 David Ruff, resident of Prairie Grove, addressed the Quorum Court stating that a member of the Quorum Court went to a radio station and called the employees of this County "lazy beggars with their hands out." He further stated that this JP went onto say that "if they did not like the pay that this county offered, then they should move on." He finds this deplorable, because he has heard it said many times by this Court that the employees are the most valuable asset that this County has. Therefore, he asked that the JP that went to the radio station and made these comments to respectfully resign as he or she is a detriment to this county and its employees.
- 314.5 **APPROVAL OF MINUTES:** As the minutes of the August meetings had not yet been distributed, they will be approved at the next regular Quorum Court meeting.
- 314.6 **A RESOLUTION RECOMMENDING CHANGES TO THE COUNTY'S EMPLOYEE HEALTH INSURANCE PLAN FOR 2017:** R. Cochran introduced **A Resolution Recommending Changes To The County's Employee Health Insurance Plan For 2017**, and Chief of Staff George Butler read the resolution which was tabled at the regular Quorum Court meeting on August 18. It has been drafted based on the recommendations of Insurance Consultant Nelson Driver.
- 314.7 R. Cochran noted there are several revisions to this Resolution and requested that Insurance Consultant Nelson Driver come to the podium to answer questions.

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- 315.1 R. Cochran addressed Nelson Driver and agenda item #7.3, stating that N. Driver's original recommendation included premium changes for employees, and the new Resolution #7.1 contains differences between the individual deductibles and out-of-pocket for the individual and family. He asked N. Driver to speak, to the changes made in the most recent version.
- 315.2 Nelson Driver, Insurance Consultant, addressed the Quorum Court stating that Resolution #7.1 was an attempt to lessen the overall impact on employees. The original Resolution, #7.3, called for no increase on the County's portion while #7.1 includes an increase to the County's portion. This will lessen the impact for the employees. Further, he noted that the original #7.3 took the deductible from \$500 to \$1,000 per calendar year per person and network out-of-pocket would have increased from \$1,000 to \$6,000. He stated that the new Resolution reduces that significantly and lessens the overall financial burden from employees and their families. N. Driver noted that the rest of the Resolution remains the same as far as the increases in prescription co-pays and in-network physician.
- 315.3 R. Cochran stated that he has discussed the County's Insurance Plan for several years now and the Court has finally arrived at the point where it has to make the change. With respect to the differences between Resolution #7.1 and #7.3, he stated that one discussion that he has had was whether the County should pay for the employee side a little more. This will give a pre-tax effect where if the employee's salary is raised by \$1 and once taxed equals 65 to 70 cents to pay for his health insurance premium. He stated that if it is taken care of on the County's side, the employee gets full dollars; however, it tends to suppress the employees' wages which also suppresses the retirement income. He realizes that the new Resolution #7.3 draft originally proposed does have an increase in premiums for the employees and the County is looking to a fairly good increase in wages that will more than offset this. Personally, he favors Resolution #7.3, but N. Driver's comment about the Resolution versions #7.1 and #7.3 is duly noted that both of those changes in the insurance plan brings the County up to very competitive if not in the top rung of its local comparatives.
- 315.4 N. Driver responded to R. Cochran, stating from a comparative standpoint, the \$1,000 per person deductible is right at market. He further stated that going from the current \$345 up to \$500 will put the deductible significantly lower than any other organization in the peer group. With respect to giving a pay raise on one side, but increasing health insurance cost on the other

side, he stated that the pay raise to employees is so important. It affects not only the employees' retirement (APERS), but it also affects their Social Security earnings far down the road. He stated therefore, doing one versus the other is not an offsetting penalty, but a penalizing point to the employees.

- 316.1 N. Driver noted that health insurance is still a train wreck and will be for a long time. Years down the road, he will still be seeing double digit increases in the charges that providers are passing onto consumers, insurance companies, and others. He further stated that a lot of this is driven by demographics, pharmaceutical costs, etc. For a number of years the County has struggled with the health plan to try to keep it solvent with year after year recommendations to increase premiums, adjusting co-pays and deductibles. He stated the Court, to the employees' benefit, has staved that off for a long time by putting infusions into the fund with the most recent infusion made last year to the tune of about \$821,000; however, the County is at a point now where infusions are going to cease to work. He stated that the Court can put \$800,000 into the fund, but if the funding mechanism is not adjusted, then the Court can expect to see him back in December. He stated that his recommendations reflect that the Court cannot do bandage approaches any longer, but have to solve and finally plug the leak of overage coming out of the fund.
- 316.2 R. Cochran stated that Nelson Driver is the Court's advisor and probably the wisest person for this, because he has studied it so much and is familiar with where the County has been and where it is going. He questioned whether overall long-term, he feels that the new proposal #7.1 with some changes is better than #7.3, equal to, or lesser than #7.3.
- 316.3 N. Driver responded that overall you have to look at it from both sides. He stated that from an employee's standpoint side, #7.1 will be a better plan; however, it will cost the County more money from a per position standpoint to do it. He stated that the County is in a sharing mechanism now on the funding changes and there will be a premium increase to the employees; however, there is also a premium increase that is being handled by the General Fund. He stated overall from his standpoint as the County's Insurance Consultant, he would recommend Resolution #7.1. He stated from a deductible standpoint, the Court will have to take a look at this again next year, because as healthcare costs continue to escalate, deductibles and co-pays will have to be manipulated again. He noted the Court has

struggled with this every single year about changing the funding mechanism and right now it is sitting with a fund balance of \$1.8 million after the \$821,000 transfer that was just made. He reported that in September the fund has paid out more than \$350,000 in two weeks and he can only hope that this will stabilize.

317.1 **R. Cochran made a motion to adopt the Resolution. B. Pond seconded.**

317.2 L. Ecke noted on #7.2, it shows an out-of-pocket from \$1,000 to \$3,000. She questioned what would happen to the plan if it was possible to keep the out of pocket at \$1,000, while slightly increasing the deductible. N. Driver responded that from memory with other figures factored in, readjusting the deductible change alone would make an overall impact to the fund of about \$90,000 to \$100,000 more. L. Ecke stated that she believes that this is more of a concern to county employees than the higher deductible and prescription costs. She asked if something could be done to that portion of the plan and what it would do to the County's portion. N. Driver reiterated if the Court keeps out-of-pocket at the present level, then it would create about a \$90,000 shortage for the year to the County; to which L. Ecke responded that \$90,000 to the county does not seem to be that bad. N. Driver reported that he looks at these figures and plans from not only the peer group, but from industry. One of the things that he has tried to do in developing #7.3 was to come to the fairest approach possible for all parties. He stated that he pays insurance premiums, co-pays, and deductibles like everyone else and his deductible has jumped three years in a row from \$500 to \$1,200. He further stated that his out-of-pocket costs have increased as well to \$3,000 that will have to be paid before the plan will pay 100%. He stated that this is an extremely tough issue and stated that if this had been handled year after year for the last 16 years, then the County would not be in the problem that it is in right now.

317.3 L. Ecke stated that the feedback that she is getting from the employees is to please keep it at something that can be afforded, because they cannot afford the \$3,000 or \$6,000. N. Driver stated that the bottom line is going to come down to what the Court is willing to do as far as County contribution. He stated that trying to keep the premium increases down to the 15% level is a real struggle, noting the first scenario he brought to the Court was with an increase of 30% and 35% in some cases. He noted that T. Lundstrum requested that he look at manipulating the County and

individual employee's side, which does not have an increase. He stated that taking the County's contribution from the existing \$411 to \$500 in order to keep the increases at 15% to the rest of the groupings would create a situation where the Court would have to increase the individual employee plan by a little over 41%, going from \$74 to \$105 a month and would be subsidizing the other part of the pool. L. Ecke stated that she would be interested in what the employees thought of that option so that way they would not have to pay \$3,000 if they go to the ER.

318.1 S. Madison stated that this issue is not part of the legislative duty of this court and she would like to be recorded as abstaining when the vote is taken.

318.2 Citizen Comments: There were no citizen comments made.

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

318.4 VOTING FOR: R. Cochran. VOTING AGAINST: B. Ussery, D. Balls, L. Ecke, A. Harbison, S. Lloyd, G. McHenry, J. Patterson, and B. Pond. ABSTENSIONS: T. Lundstrum, E. Madison, and S. Madison. **The motion failed with one member voting in favor, eight members voting against the motion, and three members abstaining.**

318.5 Nelson Driver stated that regardless of what the Court decides to do on the County's insurance plan, he wants to remind them that Human Resources (HR) has to know what the Court is going to do for 2017 before October 1st, because there is a notification period prior to open enrollment, which starts in November. He noted that if nothing changes and they go forward with the current plan, then this will cause him to have to adjust his budget that he has submitted to the court.

318.6 **R. Cochran made a motion to reconsider. B. Pond seconded.**

318.7 B. Pond stated he does not find fault with N. Driver's advice whatsoever; his problem is that the Court needs to know what kind of pay increase that the employees are going to have in order to afford the insurance.

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- 319.1 Chief of Staff George Butler noted with a motion to reconsider, the Court can only have limited debate to talk about whether it will reconsider. Then it would be back on the floor for discussion.
- 319.2 **Judge Edwards called for a vote on the motion to reconsider.**
- 319.3 **VOTING FOR: B. Ussery, D. Balls, R. Cochran, A. Harbison, G. McHenry, and B. Pond. VOTING AGAINST: L. Ecke, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, and J. Patterson. **The motion to reconsider failed with six members voting for and six members voting against the motion.****
- 319.4 Chief of Staff George Butler stated if this is not decided by October 1st, then the plan will stay as it is, since open enrollment begins in November. He further stated that when the Court decides what it wants to do about this, then the County would have to have a special enrollment period in 2017 once the changes are made.
- 319.5 S. Madison stated that several people have referred to the need for the Court to make this decision, yet within the instructions attached to #7.1 in the resolution itself, it says this is an administrative function of the County Judge and she can make the decision herself.
- 319.6 G. Butler responded that Judge Edwards can make the decision, but if it will cost more money, then the Judge cannot appropriate the money.
- 319.7 S. Madison responded that she can make the decision and then the employees will have to deal with it. She does not see the need to involve the Court again in this issue as it is clearly not ready to make a decision.
- 319.8 L. Ecke stated she would like the cooperation of the county employees who this affects to email and let the Court know which option they want. She stated that it is difficult for the Court to make these decisions for the employees and their families' lives. She stated that it is a lot of money if the employees go to the ER and are asked to immediately pay \$3,000 or \$6,000, because they had not met their deductible.
- 319.9 Judge Edwards stated that if all members of the court feel that it would be best for her to just make the ruling, then she will decide this by the first of

next week, after which the Court can decide whether it will appropriate money or not.

- 320.1 R. Cochran stated that he appreciates Judge Edwards doing that as the Court has indicated that it does not want to make that decision. He stated that Resolution #7.1 does not increase the employee premiums at all, but does change some of the co-pays and deductibles. He stated that he understands the difference between Resolutions #7.1 and #7.3. He believes that #7.3 is better long-term for the employees, because of the effect on retirement. He does understand that the County has many employees who deal with their net pay every week to make sure they can pay their bills. He stated whichever option Judge Edwards chooses, he will support that with an ordinance that appropriates any funds.
- 320.2 A. Harbison stated that she has the same concerns as L. Ecke with regard to the \$3,000 out-of-pocket, because that is a lot of money.
- 320.3 **S. Madison called for a point of order, stating that this item has failed and she does not understand why the Court is continuing to discuss it.**
- 320.4 **Judge Edwards ruled in S. Madison's favor for the meeting to proceed to the next item.**
- 320.5 Judge Edwards stated that she would make a decision the first of next week and the Court can then deal with it as it sees fit.
- 320.6 AN ORDINANCE INCREASING THE SALARY RANGES FOR COUNTY EMPLOYEES EFFECTIVE NOVEMBER 21, 2016; AND MAKING THE NECESSARY BUDGET ADJUSTMENTS IN VARIOUS FUNDS FOR EMPLOYEES FALLING BELOW THE MINIMUM OF THEIR GRADE RANGE: T. Lundstrum introduced **An Ordinance Increasing The Salary Ranges For County Employees Effective November 21, 2016; And Making The Necessary Budget Adjustments In Various Funds For Employees Falling Below The Minimum Of Their Grade Range**, and Chief of Staff George Butler read the ordinance by title only.
- 320.7 T. Lundstrum noted that this was talked about this during the budgetary process last year. He stated that the whole purpose of this was to increase the salary range by 3%; because if the County gives a raise, then some

employees will exceed their maximum. He further stated that there is a \$14,789 cost to the County for this to pay people who will exceed the minimum as a result of this.

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

321.2 E. Madison inquired about what Article 3 was referring to when reducing the Medical/Dental line item in the Drug Court Accountability Budget of the Drug Court Fund by the amount of \$20 for 2016, and what it has to do with this ordinance.

321.3 Comptroller Ashley Farber responded to E. Madison stating that the County has one employee who is paid by a grant and there is no money in the grant to cover the cost of this, so the medical line item needs to be decreased and appropriated to another line item to cover this shortage.

321.4 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2016-55, BOOK NO. 10, PAGE NO. 482

321.7 AN ORDINANCE TO RAISE THE SALARIES AND WAGES OF NON-ELECTED COUNTY EMPLOYEES BY FOUR PERCENT (4%) OVER 2016 BASE PAY FOR BUDGET YEAR 2017: Co-Sponsor D. Balls introduced **An Ordinance To Raise The Salaries And Wages Of Non-Elected County Employees By Four Percent (4%) Over 2016 Base Pay For Budget Year 2016.** This ordinance was tabled at the Special Quorum Court meeting on July 28 as well as the Regular Quorum Court meeting on August 18.

321.8 D. Balls stated that he is the co-sponsor of this ordinance with R. Dennis who was not present at this meeting. He reported that there is a better

option than this ordinance and he is waiting on some numbers to come back. He further stated that the new option will give the employees a better raise and will be better for all county employees.

322.1 **D. Balls made a motion to table the ordinance until the next meeting until the Court gets better information. The motion was seconded.**

322.2 It was pointed out that Salary Consultant Blair Johanson was present to discuss this issue and that this could be done after voting on the motion to table, which took precedence.

322.3 VOTING FOR: E. Madison and S. Madison. VOTING AGAINST: B. Ussery, D. Balls, R. Cochran, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, G. McHenry, J. Patterson, and B. Pond. **The motion failed with two members voting for and ten members voting against the motion.**

322.4 Blair Johanson, County's Salary Consultant, addressed the Quorum Court stating that at the last Personnel Committee and Quorum Court meetings, a recommendation was made for an overall salary adjustment of 7%, because overall the County's wages were 7.16% behind the market. He stated that the Court suggested that he look at the impact of adjustments that are at a higher percentage for those who are further behind the market, focusing on time at position to make sure that there is an apple to apple comparison. He further stated that this is to make sure that the Court is not rewarding someone who is further behind but has only been with the county for one year. B. Johanson reported that he compiled that information and has a recommendation that was reviewed at the Court's last meeting where it noted each of the employees who were at least 7% or greater behind market and those who were 7% or less behind market and then went out to price that.

322.5 B. Johanson reported that the County has 180 employees out of 570 who are 7% or more behind the market pay variance. On that schedule, based on a 5.5% adjustment, they moved in an upward fashion towards the last couple of employees who were about 35% behind market for a 14% adjustment. He stated the combination of 14% adjustment and 5.5% from the employees who were 7% or less behind market totaled \$1,479,548, including FICA and Social Security. He stated when they were looking at the overall adjustment of 7%, that was going to cost the County \$2 million, so this comes in less than the \$2 million if they were looking at doing a 7%

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adjustment for the whole workforce, but they were not looking at time and position. He stated that this calculates time and position and adjusts it back so they do not have someone matching market that has only been on the job for one year.

- 323.1 E. Madison stated that there is some pay study information in the Court's packets, but questioned whether the Court had the information that he was referring to; to which B. Johanson responded that as far as the schedule, the Court did not. E. Madison questioned whether he had looked into a multi-year plan; to which he responded that he has not. She believes that the Court could talk about future plans, so people can have something to look forward to since it is hard to catch up with everything in one year. With that in mind, she is interested in knowing what the Court can look forward to in 2017, 2018 and 2019.
- 323.2 Blair Johanson stated whenever the current Court delays, then the next one decides what to do. Typically, the decision is made not to match market. He stated that given that the county is 7% behind market and the Court did not add to base pay last year, his recommendation is that it has to match market. He stated if it is put off again and the Court goes for a multi-year program, then that means that while the County will make some in roads, it will be further behind market. He stated that his recommendation would be to go with the proposed plan, because it addresses the issues of those who are further behind market, looks at time and position, and comes in less than the overall \$2 million that the Court was looking at with a 7% across the board.
- 323.3 B. Johanson stated that the way longevity with the County was requested to be considered is to work up a schedule where the Court is looking at 3 years of employment with the county and a ¼ percent adjustment for people with 3 years and ¼ percent for each year thereafter up to 10 years. This means that employees would be at 2% for those with 10 years of service. He stated those employees with 11-15 years would be at 2¼ percent; 16-19 years would be at 2½ percent; and 20 years plus at 3%. He stated this is a way for the Court to address the longevity with the County. He stated this form of longevity would add \$417,733; and if the Court wants to put something off, it would be his recommendation to put that off until next year and go ahead and get caught up with time and position and the market for an overall budget increase of approximately \$1.5 million.

- 324.1 B. Ussery stated his understanding is that it will take the County a few years to get caught up and it really is a multi-year plan, because the Court is giving a 5.5% to 14% increase. He believes that if an employee is 30% behind and receives a 14% increase, then that employee would still not be where he or she needs to be. He further stated that it will take several years of doing this to bring some of the positions closer in line.
- 324.2 S. Madison stated that she is confused procedurally, because the Court does not have anything before it to discuss that she is aware of. D. Balls started to discuss Appropriation Ordinance item #9, moved to table, and then voted against it. She stated that the Court has not read this ordinance and she is confused as to whether Blair Johanson is speaking in support of this ordinance or discussing something somewhere else on the agenda.
- 324.3 Chief of Staff George Butler responded to S. Madison that Blair Johanson is currently discussing something different than Ordinance #9. The Court remains on #9; however, it appears to him from the discussion that the Court will probably need to end with tabling this and come back with a new ordinance.
- 324.4 B. Johanson stated that the Court tabled this ordinance until this meeting and asked for a budget for the recommendation that he presented to the Court at the last meeting, which is why he is reporting as requested on this particular item. He further verified that he is only reporting as he was requested to do so and there is no ordinance for the Court to act on at this time.
- 324.5 R. Dennis stated that his intention as the sponsor of this ordinance was to amend it to reflect Blair Johanson's recommendation and he considers that a friendly amendment.
- 324.6 Chief of Staff George Butler stated that he would recommend that the Court table this ordinance and return with an ordinance that conforms B. Johanson's recommendation in writing so that everyone understands what is being voted on.
- 324.7 A. Farber questioned why the Court could not just amend #9.1, the 4% in Article 1 and adjust to Blair Johanson's recommendations so it can avoid tabling the ordinance.

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- 325.1 G. Butler stated that he is not sure if he understands the increase being recommended; to which L. Huffaker responded that the increase would be as set out in #9.3; to which B. Johanson brought totals to show the exact cost amount.
- 325.2 Judge Edwards stated that she would really like the Court to work on this and move forward with this issue at this time.
- 325.3 E. Madison explained that #9.1 is the Ordinance before the Court for consideration; #9.3 is the alternate proposal and the only additional information Blair Johanson has given the Court is the cost of #9.3. She went onto explain that #9.3 lists the position titles with the percentage increase recommended for each position down to the end where anybody that was 7% or below deviation from market gets a 5% increase. She noted the cost to the county for these proposed salary increases would be \$1,479,548. Therefore, she stated that the Court can amend #9.1 by replacing 4% with wherever it appears to reflect the staggered percentage raises delineated in #9.3.
- 325.4 **R. Dennis made a motion to amend the ordinance replacing 4% to reflect the staggered percentage raises as delineated in #9.3 as recommended by Salary Consultant Blair Johanson. D. Balls seconded.**
- 325.5 **With no further discussion, Judge Edwards called for a vote on R. Dennis motion to amend the ordinance.**
- 325.6 **VOTING FOR: B. Ussery, D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, G. McHenry, J. Patterson, and B. Pond. The motion to amend the ordinance passed unanimously by those present.**
- 325.7 Chief of Staff George Butler read **An Ordinance To Raise The Salaries And Wages Of Non-Elected County Employees By Various Amounts Over The 2016 Base Pay For Budget Year 2017**, by title only.
- 325.8 **R. Dennis made a motion to adopt the ordinance as amended. D. Balls seconded.**

- 326.1 Citizen Comments: Lorraine O'Neal, resident at 3001 West Wedington, Fayetteville, addressed the Quorum Court stating that she knows the budget process is very difficult. With the County's budget as stressed as it is, allocating as much as a 14% raise for county employees is inappropriate. She further stated the applause from the audience made up of county employees is out-of-line because the citizens of the county are not represented and are the ones that will have to carry this burden.
- 326.2 Sheriff Tim Helder, citizen of Washington County, addressed the Quorum Court stating that he believes the County is represented at this meeting. He further stated that the Court should recognize that all employees are behind market. For the first time, a study has been done to indicate position by position, time and grade, how far behind the employees actually are. He believes that this is exactly the appropriate way to handle this. He stated that this relates to county services and not about running a private business where the bottom line is the bottom line, but about what services the citizens of Washington County expect. He stated as Elected Officials, they have stood behind this Quorum Court to try to work on the County's budget woes, going bare bones year after year on personnel and equipment. They all recognize that their employees are the County's greatest assets; this is a perfect time to recognize them and give raises that are adequate.
- 326.3 R. Cochran, citizen of Washington County and JP on this Quorum Court, addressed the Quorum Court stating that he asked for a pie graph to be made to show the General Fund expenditure categories. It showed that 68% of the money spent out of the General Fund goes to the County's employees. He stated his appreciation to Blair Johanson for his work putting this recommendation together as it is the best look that the Court has had regarding what it can do for the employees. He stated that while a 14% raise may seem like a big raise, when the County is 35.9% below market, the employees are only making 65 cents on the dollar for their job, and while a 14% raise is not even getting that employee up to grade, the Court is making an effort. He further thanked the members of this Quorum Court for getting behind this and he is glad that it was able to do it early in the budget process this year, so it can make the appropriate decisions for funding.
- 326.4 E. Madison stated that she is known for being pretty tight with money, but the time has come for the Court to give this raise. She is pleased that Blair

Johanson and employees in Human Resources have provided the Court with the rich data that it needs. She stated that this raise is based on market and is being done on the front-end of the budget, but will be work for this Court and all the employees to help make this budget come together with this increase.

327.1 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the Ordinance as amended.**

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

ORDINANCE NO. 2016-56, BOOK NO. 10, PAGE NO. 484

327.3 **TREASURER'S REPORT:** County Treasurer Bobby Hill addressed the Quorum Court revenue projections stating that he is planning on having the final projections in on October 20th. He noted two concerns, the general fund carryover, which is the most volatile line item, is currently on course but he will be watching this. He reported that that County has not received a substantial payment from the state since the end of July for housing state prisoners, and if this does not change he may need to reduce it.

327.4 B. Hill noted from the August Financial Summary that the General and Jail Funds had expenditures exceeding revenues, which is not out of the ordinary for August. He reported the account ended August with \$31.7 million in the bank. At this same time frame in 2015, the County had \$31.8 million in the bank. He stated that while he would like to see an increase, the County is keeping pace with last year. He noted that the County's share of the 1% sales tax, the Jail ¼ cent sales tax, and Road ½ cent sales tax all show slight increases over 2015. He further noted that the Employee Insurance Fund began and ended the month about the same with \$1.9 million currently in the bank.

327.5 **COMPTROLLER'S REPORT:** County Comptroller Ashley Farber addressed the Quorum Court reporting that the County's unappropriated reserves for August show a few ordinances passed. She added the insurance ordinance, which took place in September, but is reflected on this

report showing an ending balance of \$6,662,709. She noted on the Summary of Revenues and Expenditures as of August 31st should reflect fund balances at approximately 67% expended showing unappropriated fund balances. She stated the Summary Statement of Operations-Expenses by Fund and Department where the funds should be running at about 67% expended showing encumbrances.

- 328.1 A. Farber reported that she is not passing out budget worksheets at this time, because of the Ordinance passed with the salary ranges and numerous adjustments to be made. She stated that she will email them out to the JPs early next week. Further, besides the chart requested by R. Cochran last week that she distributed, E. Madison had requested that operating totals be calculated for each department and those with \$2,000 or more would come before the Quorum Court, which are reflected on the yellow highlighted report she has provided everyone and noted that these departments will be scheduled to meet with the Court.
- 328.2 AN ORDINANCE ANTICIPATING AND APPROPRIATING REVENUES IN THE AMOUNT OF \$23,716 IN THE COUNTY LIBRARY FUND FOR 2016:
R. Cochran introduced **An Ordinance Anticipating And Appropriating Revenues In The Amount Of \$23,716 In The County Library Fund For 2016**, and Chief of Staff George Butler read the ordinance by title only.
- 328.3 **R. Cochran made a motion to adopt the ordinance. J. Patterson seconded.**
- 328.4 Citizen Comments: There were no citizen comments made.
- 328.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 328.6 VOTING FOR: B. Ussery, D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, G. McHenry, J. Patterson, and B. Pond. **The motion passed unanimously by those present. The ordinance was adopted.**
- ORDINANCE NO. 2016-57, BOOK NO. 10, PAGE NO. 490**
- 328.7 AN ORDINANCE CHANGING A PERSONNEL POSITION IN THE DETENTION BUDGET FOR 2016: B. Pond introduced **An Ordinance**

Changing A Personnel Position In The Detention Budget For 2016,
and Chief of Staff George Butler read the ordinance by title only.

329.1 **B. Pond made a motion to adopt the ordinance. R. Cochran seconded.**

329.2 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2016-58, BOOK NO. 10, PAGE NO. 491

329.5 AN ORDINANCE TRANSFERRING \$86,000 FROM THE ROAD FUND TO THE FEMA FUND; REDUCING THE FEMA 2015/2016 FLOOD BUDGET BY \$603,272; AND APPROPRIATING THE AMOUNT OF \$689,272 FROM THE FEMA FUND TO THE DYE CREEK LOW WATER CROSSING BUDGET FOR 2016: A. Harbison introduced **An Ordinance Transferring \$86,000 From The Road Fund To The FEMA Fund; Reducing The FEMA 2015/2016 Flood Budget By \$603,272; And Appropriating The Amount Of \$689,272 From The FEMA Fund To The Dye Creek Low Water Crossing Budget For 2016,** and Chief of Staff George Butler read the ordinance by title only.

329.6 A. Harbison explained this is a low-water bridge that was taken out by high water last spring, which is a road used by a lot citizens in West Fork. FEMA is going to pay for rebuilding this bridge and needs to be fixed as soon as possible.

329.7 **A. Harbison made a motion to adopt the ordinance. L. Ecke seconded.**

329.8 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2016-59, BOOK NO. 10, PAGE NO. 492

330.3 AN ORDINANCE RECOGNIZING AND APPROPRIATING REVENUE IN THE AMOUNT OF \$157,928 IN THE ROAD FUND FOR 2016: R. Cochran introduced **An Ordinance Recognizing And Appropriating Revenue In The Amount Of \$157,928 In The Road Fund For 2016**, and Chief of Staff George Butler read the ordinance by title only.

330.4 R. Cochran explained that this moves FEMA disaster relief revenue into the Road Fund, Gravel, Dirt and Sand line item.

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

330.6 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2016-60, BOOK NO. 10, PAGE NO. 493

330.9 COUNTY JUDGE'S REPORT: Judge Edwards announced due to the lengthy agenda she would not be giving a report at this time.

330.10 COMMITTEE REPORTS: E. Madison stated that the County Services Committee did not meet this month due to lack of an agenda.

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- 331.1 As H. Bowman, Chairman of the Public Works Committee, was absent from the meeting, Judge Edwards reported that the Public Works Committee did not meet this month due to lack of an agenda.
- 331.2 B. Pond, Chairman of the Personnel Committee, reported that the committee met on September 6th and heard a report from Salary Consultant Blair Johanson regarding JESAP bringing three new positions to the Court, a Public Relations Director/Personnel Manager with the Sheriff's Department, as well as a Juvenile Officer II/Specialized Police Officer and Social Worker positions with the Juvenile Court. He stated that the Public Relations Director/Personnel Manager will take the place of the current Public Information Officer and this position has been rated as a Grade 23 and the budgeting part of this position will be presented to the court at this meeting. He stated that the Juvenile Officer II/Specialized Police Officer has been rated as a Grade 16 and the Social Worker position rated as a Grade 18, and these positions will be brought before the Court during the budget process. B. Pond further stated that the next report as requested by the Quorum Court by Blair Johanson was the report the Court received just before it voted to approve the employees' raises.
- 331.3 B. Pond stated that Blair Johanson requested that a step schedule be considered for the Sheriff Departments positions referring to the Sheriff's Uniform Positions Document, which gives a comparison with Benton County, Rogers, Bentonville, and Fayetteville to keep Washington County on the same level.
- 331.4 B. Pond stated that the committee discussed an Ordinance sponsored by T. Lundstrum increasing salary ranges for county employees, which was passed earlier at this meeting.
- 331.5 T. Lundstrum, Chairman of the Jail/Law Enforcement/Courts Committee, reported that the committee did not meet this month for lack of an agenda.
- 331.6 B. Ussery, Chairman of the Ordinance Review Committee, reported that the committee met and discussed some changes to several ordinance sections that will be voted on later in the meeting. He stated there was also a lengthy discussion on the IT policy, which is still being working on.
- 331.7 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: D. Balls

introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and Chief of Staff George Butler read the ordinance by title only. The Planning Board granted a Conditional Use Permit on September 8, 2016 for DANCE by Eliese. The ordinance contains an emergency clause making it effective immediately upon passage.

332.1 **D. Balls made a motion to adopt the ordinance. B. Pond seconded.**

332.2 In response to a question from S. Madison, Chief of Staff George Butler stated that an ordinance with emergency clause would require 10 votes to pass.

332.3 Citizen Comments: There were no citizen comments made.

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

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

ORDINANCE NO. 2016-61, BOOK NO. 10, PAGE NO. 494

332.6 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: J. Patterson introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and Chief of Staff George Butler read the ordinance by title only. The Planning Board granted a Conditional Use Permit on September 8, 2016 for Ingram Residential. The ordinance contains an emergency clause making it effective immediately upon passage.

332.7 J. Patterson stated this is one where the landowners want to split the property of less than two acres.

332.8 **J. Patterson made a motion to adopt the ordinance. G. McHenry seconded.**

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- 333.1 Citizen Comments: There were no citizen comments made.
- 333.2 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 333.4 VOTING FOR: B. Ussery, D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, G. McHenry, J. Patterson, and B. Pond. **The motion passed unanimously by those present. The ordinance was adopted.**
- ORDINANCE NO. 2016-62, BOOK NO. 10, PAGE NO. 499**
- 333.5 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: J. Patterson introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and Chief of Staff George Butler read the ordinance by title only. The Planning Board granted a Conditional Use Permit on February 4, 2016 for Maquiladora Manufacturera. The ordinance contains an emergency clause making it effective immediately upon passage.
- 333.6 **J. Patterson made a motion to adopt the ordinance. B. Pond seconded.**
- 333.7 In response to a question from L. Ecke, Planning Director Juliet Richey stated that this is a small business with less than 5 employees that make custom housing for very large air conditioning units. She stated that they currently do something similar in Mexico and part of the family has moved here and wants to start replicating the business here.
- 333.8 R. Cochran inquired about the number of neighbors that were notified about this business as he noted there were some comments against the business; to which J. Richey responded that there were 12 neighbors notified so about 1/3 of the neighbors were not in favor of this business. He asked if this business will create an eyesore for neighbors; to which J. Richey stated that outdoor storage and signage have been limited and the site will be a large metal building similar to a lot of agricultural buildings.

- 334.1 S. Madison inquired about the reason for the emergency clause on these three Conditional Use Permits; to which J. Richey responded that it has been standard practice to put an emergency clause on CUP's, so the developer does not have to wait 90 days and can move forward.
- 334.2 Chief of Staff George Butler added that this does not affect appeal rights and the developer can go ahead with move on with the project.
- 334.3 S. Madison stated so the developer can move on and spend money after which people can still file an appeal and halt him in his tracks. She questioned whether the Court was doing him any favors.
- 334.4 Juliet Richey stated that the Planning Board makes sure the parties understand that it is not finalized until the time for appeal is completely tolled, so if money is spent before then, it is at the parties' own risk.
- 334.5 S. Madison asked if the developer is able to make changes to the property during this time; to which J. Richey responded that the Board generally discourages people from making any changes until it is known that that the CUP is not going to be appealed, especially if they believe there is a chance for an appeal. She stated that the standard form that is sent out states that it is not wholly final until the 30 day appeal period has passed. She stated that it still shortens the time some, because the way the ordinance reads is that it is 30 days from the date that the Planning Board initially approves it.
- 334.6 S. Madison noted that the Legislature used to almost routinely put in emergency clauses on a lot of things to make them go into effect immediately. She stated that there is a court case that says it needs to be a genuine emergency that is identifiable.
- 334.7 S. Lloyd stated that the one member on the Planning Board voted against it and then four of the ten neighbors were in opposition to this proposal, so she does not believe that the Court should do an emergency clause on this so that people know that he or she can still come before the Court with concerns.
- 334.8 B. Pond stated that he wants the Court to understand that this is the way that the ordinances were set up and if it does not have them as emergency ordinances, then the landowner or developer has to wait 90 days to start the

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project. He stated that the neighbors still have time to appeal and the developers know this, so he will be voting in favor of this ordinance.

- 335.1 E. Madison questioned Chief of Staff George Butler's previous statement that the developer has to wait 30 days in contrast to what B. Pond stated, and the only emergency in this case is that this is just what the Court always does.
- 335.2 J. Richey responded to E. Madison that it has been the policy to handle the ordinances this way, but she is certainly open to talking with County Attorney Steve Zega to see if it should be approached differently in the future.
- 335.3 S. Lloyd stated that she understands the part about notifying neighbors, but neighbors may not be able to attend a meeting, which is why it should have three readings. She further stated that four out of ten neighbors in opposition is almost half.
- 335.4 J. Richey responded that the twelve individuals have been notified with two of them being on the same property.
- 335.5 S. Lloyd pointed out other times when the Court has passed emergency ordinances, there were no negative comments and all of the Planning/Zoning Board members voted in favor of the CUP. She stated she is comfortable with that; however, if she were one of those neighbors, she would want someone to stand up for her and not pass it as an emergency ordinance. She believes that there is something going on for a board member to vote against the CUP.
- 335.6 Citizen Comments: There were no citizen comments made.
- 335.7 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 335.8 VOTING FOR: B. Ussery, D. Balls, R. Cochran, R. Dennis, L. Ecke, A. Harbison, T. Lundstrum, E. Madison, G. McHenry, J. Patterson, and B. Pond. VOTING AGAINST: S. Lloyd and S. Madison. **The motion passed with eleven members voting in favor and two members voting against the motion. The ordinance was adopted.**

ORDINANCE NO. 2016-63, BOOK NO. 10, PAGE NO. 502

- 336.1 Judge Edwards requested that E. Madison explain why agenda items #22 and #23 were removed from the agenda.
- 336.2 E. Madison stated that County Attorney Zega is still refining the ordinances and still has some things that he wants to do.
- 336.3 T. Lundstrum reported speaking with Mr. Bedford today who represents some of these city sewer systems and he said Goshen only had one subdivision now that has that system rather than the 30 that it use to have. He further reported that it is very likely that the city will just go with its own ordinance rather than with the county.
- 336.4 AN ORDINANCE AMENDING WASHINGTON COUNTY CODE SECTIONS 2-19 THROUGH 2-20: B. Ussery introduced **An Ordinance Amending Washington County Code Sections 2-19 Through 2-20**, and Chief of Staff George Butler read the ordinance by title only. This ordinance is on first reading and is being recommended by the Ordinance Review Committee.
- 336.5 **B. Ussery made a motion to suspend the rules and place the ordinance on second reading by title only. The motion was seconded. The motion passed unanimously by those present by voice vote.**
- 336.6 Chief of Staff George Butler read **An Ordinance Amending Washington County Code Sections 2-19 Through 2-20** by title only.
- 336.7 **B. Ussery 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 by those present by voice vote.**
- 336.8 Chief of Staff George Butler read **An Ordinance Amending Washington County Code Sections 2-19 Through 2-20** by title only.
- 336.9 **B. Ussery made a motion to adopt the ordinance. B. Pond seconded.**
- 336.10 Citizen Comments: There were no citizen comments made.

- 337.1 **With no further discussion, Judge Edwards called for a voice vote on the motion to adopt the ordinance.**
- 337.2 **The motion passed unanimously by those present by voice vote. The ordinance was adopted.**
- ORDINANCE NO. 2016-64, BOOK NO. 10, PAGE NO. 506**
- 337.3 Chief of Staff George Butler noted the next ordinance, Ordinance #25.1 (UPDATED), replaced #25.1 included in the packets.
- 337.4 **L. Ecke made a motion to accept Ordinance #25.1 (UPDATED) as a substitution. R. Dennis seconded.**
- 337.5 AN ORDINANCE AMENDING WASHINGTON COUNTY CODE SECTIONS 2-46 THROUGH 2-49 B. Ussery introduced **An Ordinance Amending Washington County Code Sections 2-46 Through 2-49**, and Chief of Staff George Butler read the ordinance by title only. This ordinance is on first reading and is being recommended by the Ordinance Review Committee.
- 337.6 **B. Ussery made a motion to suspend the rules and place the ordinance on second reading by title only. T. Lundstrum seconded. The motion passed unanimously by those present by voice vote.**
- 337.7 Chief of Staff George Butler read **An Ordinance Amending Washington County Code Sections 2-46 Through 2-49** by title only.
- 337.8 **B. Ussery made a motion to suspend the rules and place the ordinance on third and final reading by title only. T. Lundstrum seconded. The motion passed unanimously by those present by voice vote.**
- 337.9 Chief of Staff George Butler read **An Ordinance Amending Washington County Code Sections 2-46 Through 2-49** by title only.
- 337.10 **L. Ecke made a motion to adopt the ordinance. B. Ussery seconded.**
- 337.11 Citizen Comments: Lorraine O'Neal, resident of Fayetteville, addressed the Quorum Court stating that she realizes that the Court is having some

sound system problems, expressing that she is not sure what the ordinances are about and is uncomfortable with the Court expediting these ordinances through quickly. She asked if there was any way to somehow summarize the ordinance so that the public can know what is going on.

338.1 Chief of Staff George Butler stated that the Court could summarize the code changes made.

338.2 E. Madison reviewed the changes made in County Code Sections 2-46 through 2-49 as shown by language stricken, underlined and highlighted in the ordinance. She indicated that the committee spent more than one meeting reviewing these codes to try to get the County's ordinances current, assuring L. O'Neal that the Court did not rush through this process.

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

338.4 **The motion passed unanimously by those present by voice vote. The ordinance was adopted.**

ORDINANCE NO. 2016-65, BOOK NO. 10, PAGE NO. 508

338.5 AN EMERGENCY ORDINANCE AMENDING WASHINGTON COUNTY CODE SECTION 2-47 TO INCLUDE A PARENTAL LEAVE POLICY IN THE EMPLOYEES HANDBOOK: D. Balls introduced **An Emergency Ordinance Amending Washington County Code Section 2-47 To Include A Parental Leave Policy In The Employees Handbook**, and Chief of Staff George Butler read the ordinance by title only. This ordinance is recommended by the Personnel Committee. It contains an emergency clause making it effective immediately upon passage.

338.6 D. Balls stated that he presented this parental leave policy to the Personnel Committee at its last meeting. This policy would provide a period of paid time off for activities related to the care and well-being of their newborn or adopted child. The Committee has recommended the adoption of this policy with eight weeks of paid parental leave that it would be provided for eligible employees. D. Balls stated this policy is where the world is going and is a chance for us to become a leader in the State. He stated that he has discussed this with HR Director Lindsy Huffaker and elected officials

and feels that this is one way the Quorum Court can help the County retain great employees.

- 339.1 **D. Balls made a motion to adopt the ordinance, and the motion was seconded.**
- 339.2 S. Lloyd stated that she did read Lindsy Huffaker's email and stated that the Court spends this \$110,000, this is approximate because last year they had 18 employees who took maternity leave which is only 3% of their 570 employees. She feels like they are not doing something for even a mass majority of their employees. She reported that L. Huffaker commented that this 8 weeks paid parental leave time would reduce the amount of turn back for the position at the end of the budget year. She stated she checked with several employers in the County and found no one who has this policy. Springdale Schools, where she currently works, require that the employees have their monies to take off maternity leave for sick days and then if they do not have that amount, then you have to pay for their substitution teachers. S. Lloyd stated that tonight the Court has given a \$1.5 million raise to its employees, which she was proud to do. She further stated that currently the Court is trying to do something with the employee's insurance, but she believes the Court would be irresponsible with the County's monies by providing 8 weeks paid parental leave. She stated that there comes a point when the Court has to say enough is enough.
- 339.3 S. Lloyd stated that she did not believe that this is not the way our country is going, restating that of the seven employers she checked into, none of them are doing this. She noted that there is short-term disability out there for pregnant woman and she does not think it is the county's responsibility to provide paid parental leave at this time when the Court is trying to save money. She stated that this is how cities and counties who cannot provide the services they are supposed to provide for because they are taking on other benefits that only benefit a few. She will be voting against this ordinance.
- 339.4 L. Ecke stated she supports D. Balls and his research, which shows this is a trend that America is going in. She stated the next generation is our future, and the Court has to invest in it. She stated that she sees this as a great investment to let mothers heal and bond with their babies.

- 340.1 E. Madison stated that she is excited that D. Balls brought this proposal to the Court. She told her own story about the two weeks paid maternity leave she was given when she adopted her son compared to twelve weeks given for medical leave. She further stated that to give this based on a non-medical need would require that it be given to fathers too. She related that the firm she worked for now offers 12 weeks of primary caregiver leave, which is exactly how D. Balls' proposal is written. She stated that this is not just for 3% of the employees, because everyone faces parenting issues at some point. She noted that the County's employees have been managing, but they use all leave time; when you have a baby, you need time to go home and take care of a sick baby. She stated that this is the way the country is going and a way to reward the working families by giving good paternal leave benefits. This ensures that people come back to work.
- 340.2 S. Madison stated that the Court needs to remember the bottom line of who this will benefit the most; this ordinance is saying that Washington County values its newborn children. She stated that this allows for good bonding between new babies and their parents. It also allows the babies to have a good, smooth start in life with proper care given by attentive caregivers. She stated that parenting can be a stressful endeavor and anything that the Court can do to make it smoother for the County's employees and their families will benefit all of us.
- 340.3 A. Harbison stated this is an opportunity for the Court to do something for the County's younger employees and she will support the ordinance.
- 340.4 R. Dennis stated for a man with three daughters and eight granddaughters, he is for it.
- 340.5 S. Lloyd stated the reason she is opposed to this is because of the 3%, noting the next thing the Court will be asking for is for the entire county to have a tax increase. She stated that sometimes the Court has to make a tough decision and this is one of those times, especially when it only affects 3% of the County's employees. She further stated that there is short-term disability available for employees.
- 340.6 B. Ussery stated he will be voting against this and concurs with S. Lloyd that it is a tremendous amount of money when the Court fought last year to get the budget in line. He further stated that the Court has bitten off a lot with what it has already passed.

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- 341.1 T. Lundstrum stated that he concurs with B. Ussery that there is vacation and sick leave that accrues over the years that can be used and is paid.
- 341.2 D. Balls stated that this impacts everybody and the 3% of the County's employees are the ones that took it. This sends a message to all employees that the Court is trying to do more. He has spoken to employees who have had children and was shocked when they told him that they were gone for 12 weeks but then when those employees came back they had to catch up on their insurance at double the rate and then had to take unpaid time off to take their children to the doctor. He stated that this is not a handout, but a benefit of doing a job just like vacation and sick pay. He stated this also sends a great message to the community that the Quorum Court wants to make that investment in the families of the community.
- 341.3 **S. Madison made a mover to sever the emergency clause. S. Lloyd seconded.**
- 341.4 **Judge Edwards called for a roll call vote on the motion.**
- 341.5 VOTING FOR: R. Dennis, S. Lloyd, T. Lundstrum, E. Madison, S. Madison, G. McHenry, J. Patterson, and D. Balls. VOTING AGAINST: R. Cochran, L. Ecke, A. Harbison, B. Pond, and B. Ussery. **The motion passed with eight members voting in favor and five members voting against the motion. The emergency clause was severed from the ordinance.**
- 341.6 S. Madison stated she severed the emergency clause, because it takes extraordinary majority.
- 341.7 **D. Balls made a motion to suspend the rules and place the ordinance on second reading by title only. The motion was seconded.**
- 341.8 In response to a question from E. Madison, Executive Assistant Karen Beeks stated if the ordinance passes as a regular ordinance, it does not go into effect until 30 days after publication, which takes about a week after the passing date.
- 341.9 **Judge Edwards called for a roll call vote on the motion to suspend the rules.**

- 342.1 **VOTING FOR:** R. Dennis, L. Ecke, A. Harbison, E. Madison, S. Madison, G. McHenry, B. Pond, and D. Balls. **VOTING AGAINST:** R. Cochran, S. Lloyd, T. Lundstrum, J. Patterson, and B. Ussery. **The motion failed with eight members voting in favor and five members voting against the motion.**
- 342.2 Chief of Staff George Butler stated that the ordinance would automatically be on second reading next month.
- 342.3 **E. Madison made a motion to suspend the rules and allow public comments. S. Madison seconded. The motion passed with the majority voting in favor of the motion.**
- 342.4 **Citizen Comments:** Courtney McNair, employee of the County Planning Office, addressed the Quorum Court stating she is done having children and will not personally benefit from this; however, she has had to cover her maternity leave with vacation and sick time accrued and eliminated every single hour she had. This includes seven weeks with one child and five weeks with the other. She stated to have her co-workers be able to come back to their jobs and not have the stress of trying to make up hours or having to budget that time on a shoestring budget will be a benefit to them. She further stated that this is the type of benefit that brings confidence to the employees and shows that they are cared about at a very small cost to the county.
- 342.5 Lorraine O'Neil, Fayetteville Citizen, addressed the Quorum Court stating that she agrees with S. Lloyd, T. Lundstrum, and B. Ussery on this issue. She stated that this is extraordinary and wonderful that it is even being considered and would make that 3% of county employees who would benefit extremely happy. However, she stated loyalty is a very tenuous thing. She further stated that while those employees may be happy today, they may find a job somewhere else that pays more and that loyalty is out the door. She stated it further sets a precedent with those employees who do not benefit to ask for something comparable, and believes it is an inappropriate ordinance.
- 342.6 Juliet Richey, Director of Planning, addressed the Quorum Court stating as a manager she feels like this is a really good benefit and something that department heads can use to attract people. She stated that she worked at home through her maternity leave, but it was stressful for everyone

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concerned. She stated that there has been a lot of discussion about cost, and believes if a weekly productivity cost to time taken is going to be applied, then the Court should also be considering productivity cost in regard to benefits to employees, increased morale, etc. She stated that it seems that this is assigning a productivity cost or benefit value for one side of the issue and not both.

- 343.1 AN ORDINANCE AMENDING WASHINGTON COUNTY CODE SECTION 2.7-23b: B. Ussery introduced **An Ordinance Amending Washington County Code Section 2.7-23b**), and Chief of Staff George Butler read the ordinance, which is on first reading by title only. This ordinance is being brought to the Court by Bill Ussery at the recommendation of the Animal Concerns Advisory Board.
- 343.2 B. Ussery explained that this ordinance is cleaning up the hazardous animal ordinance a little bit as it was discovered that the original one did not have any conditions on where the animals were to be kept when they were supposed to be kept in a pen. As a result, there were some ridiculous things occurring. He stated that this is to bring it in line with the U.S. Department of Agricultural standards. He noted that the underlined language has been added to the ordinance.
- 343.3 **B. Ussery made a motion to suspend the rules and place the ordinance on second reading by title only. R. Cochran seconded. The motion passed with the majority voting in favor by voice vote.**
- 343.4 Chief of Staff George Butler read **An Ordinance Amending Washington County Code Sections 2.7-23(b)** by title only.
- 343.5 **B. Ussery made a motion to suspend the rules and place the ordinance on third and final reading by title only. The motion was seconded.**
- 343.6 **Judge Edwards called for a roll call vote on the motion to suspend the rules.**
- 343.7 VOTING FOR: R. Cochran, A. Harbison, S. Madison, G. McHenry, B. Pond, B. Ussery, and D. Balls. VOTING AGAINST: R. Dennis, L. Ecke, S. Lloyd, E. Madison, and J. Patterson. **The motion failed with seven members voting in favor and five voting against the motion.**

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- 344.1 Chief of Staff George Butler stated that the ordinance would be on third reading next month.
- 344.2 OTHER BUSINESS: There was no other business to discuss.
- 344.3 ADJOURNMENT: The meeting adjourned at 8:30 p.m.

Respectfully submitted,



Carly Sandidge
Quorum Court Coordinator/Reporter