

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

Thursday, September 20, 2018
6:00 p.m.

Washington County Quorum Court Room

2018 OCT 22 AM 10:24
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

County Judge Joseph K. Wood called the meeting to order.

JP Joel Maxwell led the prayer and pledge.

Members present were JP Daniel Balls, JP Harvey Bowman, JP Alicia Deavens, JP Robert Dennis, JP Lisa Ecke, JP Ann Harbison, JP Tom Lundstrum, JP Sue Madison, JP Joel Maxwell, JP Joe Patterson, JP Butch Pond, JP Fred Rausch and JP Bill Ussery. JP Eva Madison and JP Joseph Kieklak were absent.

JP Ecke requested agenda item 11.1 be removed from the agenda. A motion to adopt the agenda as amended was made by JP S Madison and seconded by JP Harbison. A voice vote was called and all members present voted to adopt the amended agenda.

A motion to suspend the rules and read all ordinances and resolution by title only was made by JP S Madison and seconded by JP Balls. A voice vote was called and the motion passed with majority vote. JP Lundstrum opposed.

During citizen's comment time, Hilary Drain spoke about the Kids Fest at the Washington County Fair. Terri Davis-Beaupre spoke about concerns that have recently developed on Harmon Road. Jacob Pesicek spoke on 287G Steering Committee Meeting.

A motion to approve the August 16th minutes was made by JP S Madison and seconded by JP Harbison. A voice vote was called and all members present voted to approve the minutes.

County Judge Joseph Wood presented his Judge's Report. He thanked JP Ussery for presiding over the Quorum Court meeting last month. He presented to the Court a Purchasing Department Report of the Disposal of County Property for August. The Department of Emergency Management, Law Enforcements, and other Emergency Services in the region were ready for Bikes, Blues, and Barbecue that was happening next week. He invited the Court and the public to take a tour of the new courtroom. He also thanked the Buildings & Grounds Department for their hard work during the construction.

JP Harbison introduced agenda item 8.1. County Attorney Brian Lester read the resolution by title only, "A RESOLUTION RECOGNIZING A VACANCY IN QUORUM COURT DISTRICT #11 FOR 2018". A motion to adopt the resolution was made by JP Harbison and seconded by JP Dennis. There was no public comment. A roll call vote was called and all members present voted to adopt the resolution.

Resolution 2018-10, A RESOLUTION RECOGNIZING A VACANCY IN QUORUM COURT DISTRICT #11 FOR 2018, was adopted.

JP Ecke introduced agenda item 9.1. County Attorney Brian Lester read the ordinance for a third and final reading, "AN ORDINANCE REPEALING ARTICLE 3, SECTION 3 OF WASHINGTON COUNTY ORDINANCE NO. 1999-03 (CODIFIED AS WASHINGTON CODE 2-192(C)(3))". A motion to adopt the ordinance was made by JP Ecke and seconded by JP Pond. There were comments made by various members of the Court and County Attorney Brian Lester. A call for the

question was made by JP Bowman and seconded by JP Balls. A voice vote was called and all members present voted to approve the call for the question. There was no public comment. A roll call vote was called and the votes were tallied as follow:

JP Balls- No
JP Bowman - Yes
JP Deavens - Yes
JP Dennis - Yes
JP Ecke - Yes
JP Harbison - Yes
JP Lundstrum - No
JP E Madison - Absent
JP S Madison - No
JP Maxwell - No
JP Patterson - No
JP Pond - Yes
JP Rausch - Yes
JP Ussery - Yes

Ordinance 2018-36, AN ORDINANCE REPEALING ARTICLE 3, SECTION 3 OF WASHINGTON COUNTY ORDINANCE NO. 1999-03 (CODIFIED AS WASHINGTON CODE 2-192(C)(3)), was adopted.

JP Ecke introduced agenda item 10.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE CHANGING THE TITLE OF COMMERCIAL/PERSONAL PROPERTY MANAGER TO BUSINESS/PERSONAL PROPERTY MANAGER IN THE ASSESSOR'S OFFICE FOR 2019". A motion to adopt the ordinance was made by JP Ecke and seconded by JP Dennis. There was no public comment. A roll call vote was called and all members present voted to adopt the ordinance.

Ordinance 2018-37, AN ORDINANCE CHANGING THE TITLE OF COMMERCIAL/PERSONAL PROPERTY MANAGER TO BUSINESS/PERSONAL PROPERTY MANAGER IN THE ASSESSOR'S OFFICE FOR 2019, was adopted.

JP Ussery introduced agenda item 12.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE CHANGING THE TITLE OF PARALEGAL/PERMIT COORDINATOR TO PART-TIME PARALEGAL/PERMIT COORDINATOR IN THE COUNTY ATTORNEY BUDGET FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Lundstrum. There was a comment made by JP Ecke. There was no public comment. A roll call vote was called and all members present voted to adopt the ordinance.

Ordinance 2018-38, AN ORDINANCE CHANGING THE TITLE OF PARALEGAL/PERMIT COORDINATOR TO PART-TIME PARALEGAL/PERMIT COORDINATOR IN THE COUNTY ATTORNEY BUDGET FOR 2018, was adopted.

JP Ussery introduced agenda item 13.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE CHANGING THE TITLE OF HEAVY EQUIPMENT OPERATOR TO ASSISTANT PARTS MANAGER IN THE ROAD DEPARTMENT FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Bowman. There was no public comment. A roll call vote was called and all members present voted to adopt the ordinance.

Ordinance, 2018-39, AN ORDINANCE CHANGING THE TITLE OF HEAVY EQUIPMENT OPERATOR TO ASSISTANT PARTS MANAGER IN THE ROAD DEPARTMENT FOR 2018, was adopted.

JP Ussery introduced agenda item 14.1. County Attorney Brian Lester read the ordinance by title only, "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 2018/2019 BUDGET FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Ecke. There was no public comment. A roll call vote was called and all members present voted to adopt the ordinance.

2018-40, 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 2018/2019 BUDGET FOR 2018, was adopted.

JP Ussery introduced agenda item 15.1. A motion to amend the ordinance to have the money appropriated into the Quorum Court's Professional Services Line-Item for 2018 was made by JP Ussery and seconded by JP Harbison. There were comments made by various members of the Court and County Attorney Brian Lester. A roll call vote was called and the votes were tallied as follow:

JP Balls- Yes
JP Bowman - Yes
JP Deavens - Yes
JP Dennis - Yes
JP Ecke - Yes
JP Harbison - Yes
JP Lundstrum - No
JP E Madison - Absent
JP S Madison - No
JP Maxwell - No
JP Patterson - No
JP Pond -Yes
JP Rausch -No
JP Ussery – Yes

The motion passed. County Attorney Brian Lester read the amended ordinance by title only, "AN ORDINANCE REDUCING \$15,390.06 FROM UNAPPROPRIATED COUNTY RESERVES (1000) AND APPROPRIATING SAID AMOUNT TO THE OTHER PROFESSIONAL SERVICES LINE ITEM (10000122-3009) IN THE QUORUM COURT'S BUDGET FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Ecke. There was no public comment. A roll call vote was called and the votes were tallied as follow:

JP Balls- Yes
JP Bowman - Yes
JP Deavens - Yes
JP Dennis -Yes
JP Ecke - Yes
JP Harbison - Yes
JP Lundstrum - No
JP E Madison – Absent
JP S Madison – Yes
JP Maxwell - Yes
JP Patterson -Yes
JP Pond - Yes
JP Rausch - Yes
JP Ussery - Yes

Ordinance 2018-41, AN ORDINANCE REDUCING \$15,390.06 FROM UNAPPROPRIATED COUNTY RESERVES (1000) AND APPROPRIATING SAID AMOUNT TO THE OTHER PROFESSIONAL SERVICES LINE ITEM (10000107-3009) IN THE QUORUM COURT'S BUDGET FOR 2018, was adopted.

JP Ussery gave an update on Finance & Budget – There was discussion on the ordinances that were approved at tonight's meeting. There was a brief discussion on the upcoming Budget meetings.

JP Maxwell gave an update on Jail/LE/Courts – Two major topic discussions - Architect Process and Solution. There was also discussion on the Crisis Stabilization Unit.

JP Ecke gave an update on Personnel – Discussed the title changes there were approved at tonight's meeting and at the next Personnel meeting there will be discussion on agenda item 11.1.

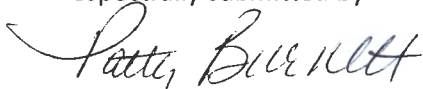
JP Dennis gave an update on County Services – The Election Commission spoke on the security of voting. Received updates from the Assessor's Office, County Clerk's Office, and Circuit Clerk's Office.

JP Bowman gave an update on Public Works – There was no meeting due to lack of an agenda. He thanked the Buildings & Grounds Department for the construction of the new courtroom and the Road Department for their work on the Chip & Seal program. He also spoke on the Court Cost & Fines Fund.

During "Other Business" JP Dennis shared his concerns about the Wedington Woods area. JP Deavens invited the Court to the Wedington Fire Department's Country Breakfast held on September 29th.

A motion to adjourn the meeting was made by JP Deavens and seconded by JP Ecke. The meeting was adjourned at 7:30 pm.

Respectfully submitted by

A handwritten signature in black ink that reads "Patty Burnett". The signature is written in a cursive, flowing style.

Patty Burnett

Quorum Court Coordinator

FILED

2018 SEP 24 PM 2:17

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

RESOLUTION NO. 2018-10

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

A RESOLUTION RECOGNIZING A VACANCY IN QUORUM COURT DISTRICT 11 FOR 2018.

WHEREAS, Quorum Court District 11 is currently held by Joseph Kieklak; and,

WHEREAS, Joseph Kieklak has served District 11 well and faithfully, but has notified the County Judge that he must resign from the Quorum Court effective immediately, as he has moved out of the district for which he serves.

WHEREAS, pursuant to Ark. Code Ann. §14-14-1308, it is required that a vacancy be declared when a Quorum Court member resigns from said District; and,

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. That a vacancy is hereby declared to exist in Quorum Court District 11 and pursuant to Ark. Code Ann. §14-14-1310, the County Judge shall notify the Governor of such.

JOSEPH K. WOOD, County Judge

09-24-2018
DATE

BECKY LEWALLEN, County Clerk

Sponsor: Ann Harbison
Date of Passage: September 20, 2018
Votes For: 13 Votes Against: 0
Abstention: 0 Absent: 2

ORDINANCE NO. 2018-36

2018 SEP 24 PM 2:17
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

BE IT ENACTED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE REPEALING ARTICLE 3,
SECTION 3 OF WASHINGTON COUNTY
ORDINANCE NO. 1999-03 (CODIFIED AS
WASHINGTON COUNTY CODE 2-192(c)(3)).

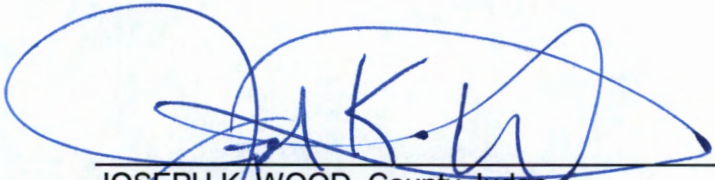
WHEREAS, Article 3, Section 3 of Washington County Ordinance
No. 1999-03 (codified as Washington County Code §2-192(c)(3)) is no longer necessary.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM
COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. Washington County Ordinance No. 1999-03
(codified as Washington County Code §2-192(c)(3)) is hereby amended as follows:

~~Section 3. EMPLOYMENT AFTER LEAVING OFFICE:~~

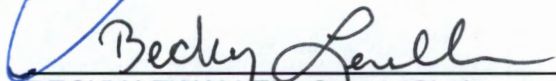
- ~~a. No elected official shall be given employment with the county for a period of one (1) year from the date of leaving office except by a majority vote of the Quorum Court.~~
- ~~b. If an elected official is employed in violation of this section, said elected official shall be liable to the county for any and all monies paid, including any benefits and parts of benefits; and, for attorneys fees and any costs incurred in the process of enforcing this section. Said employment shall be void ab initio.~~



JOSEPH K. WOOD, County Judge

09-24-2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Lisa Ecke
Date of Passage: September 20, 2018
Votes For: 8 Votes Against: 5
Abstention: 0 Absent: 1

FILED

2018 SEP 24 PM 2:18

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

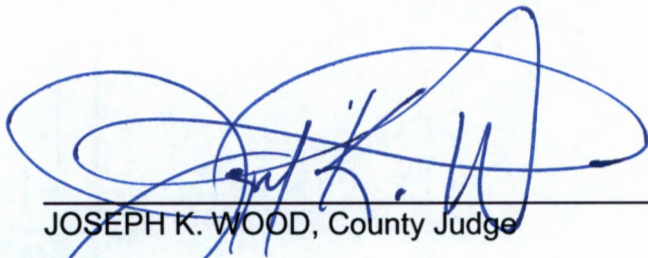
ORDINANCE NO. 2018-37

ORDINANCE:

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:**

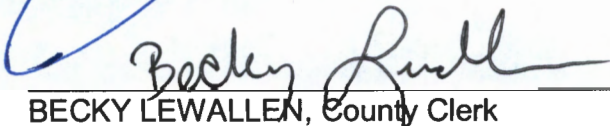
**AN ORDINANCE CHANGING THE TITLE OF
COMMERCIAL/PERSONAL PROPERTY
MANAGER TO BUSINESS/PERSONAL
PROPERTY MANAGER IN THE ASSESSOR'S
OFFICE FOR 2019**

ARTICLE 1. The title of the personnel position of Commercial/Personal Property Manager, Grade 20 (Position 0105041) in the Assessor Budget of the General Fund (10000105) is hereby changed to Business/Personal Property Manager, Grade 20 (Position 0105041) for 2019.



JOSEPH K. WOOD, County Judge

09-24-2018
Date



BECKY LEWALLEN, County Clerk

Sponsor: Lisa Ecke
Date of Passage: September 20, 2018
Votes For: 13 Votes Against: 0
Abstention: 0 Absent: 1

FILED

2018 SEP 24 PM 2:18

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

ORDINANCE NO. 2018-38

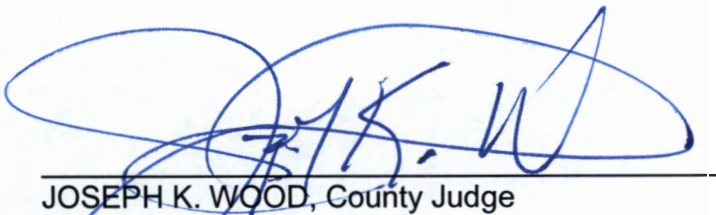
APPROPRIATION ORDINANCE:

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:**

**AN ORDINANCE CHANGING THE TITLE OF
PARALEGAL/PERMIT COORDINATOR TO
PART-TIME PARALEGAL/PERMIT
COORDINATOR IN THE COUNTY ATTORNEY
BUDGET FOR 2018.**

**NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM
COURT OF WASHINGTON COUNTY, ARKANSAS:**

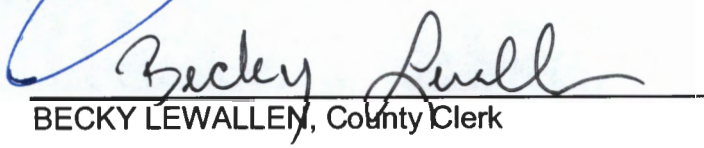
ARTICLE 1. The title of the personnel position of Paralegal/Permit Coordinator, Grade 16 (Position 0122003) in the County Attorney Budget of the General Fund (1000 0122) and the Road Fund (2000 0200) is hereby changed to Part-time Paralegal/Permit Coordinator (Position 0122003) for 2018.



JOSEPH K. WOOD, County Judge

09.24.2018

Date



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: September 20, 2018
Votes For: 13 Votes Against: 0
Abstention: 0 Absent: 1

FILED

2018 SEP 24 PM 2:18

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

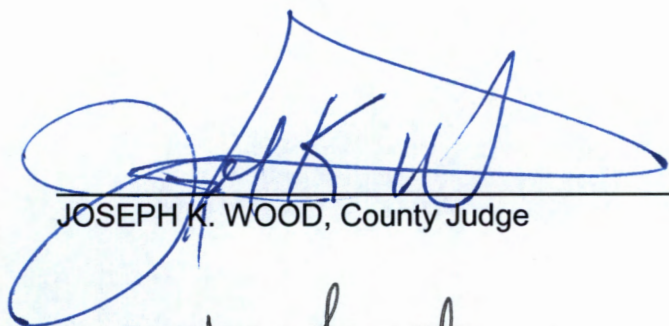
ORDINANCE NO. 2018-39

APPROPRIATION ORDINANCE:

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:**

**AN ORDINANCE CHANGING THE TITLE OF
HEAVY EQUIPMENT OPERATOR TO
ASSISTANT PARTS MANAGER IN THE ROAD
DEPARTMENT FOR 2018.**

ARTICLE 1. The title of the personnel position of Heavy Equipment Operator, Grade 11 (Position 0200240) in the Road Department's Budget of the Road Fund (20000200) is hereby changed to Assistant Parts Manager, Grade 11 (Position 0200240) for 2018.



JOSEPH K. WOOD, County Judge

09-24-2018

Date



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: September 20, 2018
Votes For: 13 Votes Against: 0
Abstention: 0 Absent: 1

ORDINANCE NO. 2018-40

2018 SEP 24 PM 2:18
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

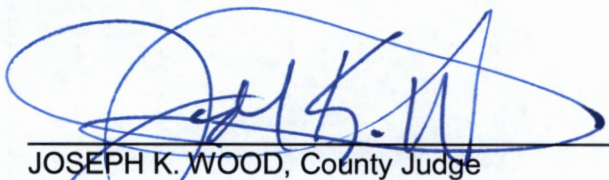
BE IT ENACTED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:

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 2018/2019
BUDGET FOR 2018.

ARTICLE 1. There is hereby recognized additional revenue of
\$31,167 in the State Grants Revenue Line Item of the JDC Grant Fund (3510-7010) for 2018.

ARTICLE 2. There is hereby appropriated the amount of
\$31,167 from the JDC Grant Fund to the following Line Items of the JDC-GIA 2018/19 Budget
for 2018:

<u>JDC-GIA 2018/19</u>	
General Supplies (35100454-2001)	\$ 3,254
Small Equipment (35100454-2002)	7,500
Medicine & Drugs (35100454-2004)	500
Food (35100454-2005)	4,000
Clothing/Uniform (35100454-2006)	3,500
Computer IT Equipment (35100454-2009)	3,500
Detainee Supplies (35100454-2011)	2,873
Other Professional Services (35100454-3009)	4,000
Dues & Memberships (35100454-3090)	1,040
Meals & Lodging (35100454-3094)	<u>1,000</u>
 TOTAL APPROPRIATION:	 <u>\$ 31,167</u>



JOSEPH K. WOOD, County Judge

09.24.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: September 20, 2018
Votes For: 13 Votes Against: 0
Abstention: 0 Absent: 1

ORDINANCE NO. 2018-41

APPROPRIATION ORDINANCE

BE IT ENACTED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 24 PM 2:18

FILED

AN ORDINANCE REDUCING \$15,390.06 FROM
UNAPPROPRIATED COUNTY RESERVES (1000)
AND APPROPRIATING SAID AMOUNT TO THE
OTHER PROFESSIONAL SERVICES LINE ITEM
(10000107-3009) IN THE QUORUM COURT'S
BUDGET FOR 2018.

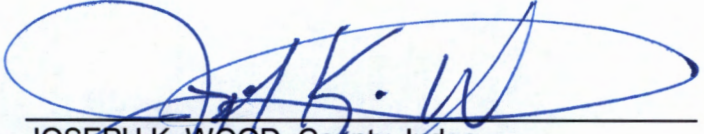
WHEREAS, the Quorum Court voted to appeal the Circuit Court's
ruling of the denial of a condition use permit to Terry Presley; and,

WHEREAS, there is currently due a balance of \$15,390.06 to
attorney Constance Clark of Davis, Clark, Butt, Carithers and Taylor, PLC for legal services in
this matter; and,

WHEREAS, the Quorum Court does not have sufficient funds in
its budget to pay for said services.

NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM
COURT OF WASHINGTON COUNTY, ARKANSAS:

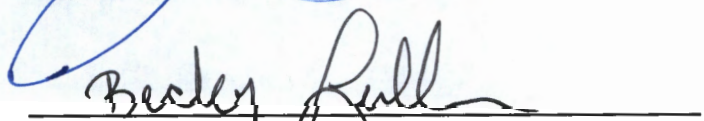
ARTICLE 1. That \$15,390.06 is appropriated from
unappropriated county reserves (1000) to the Other Professional Services line item (10000107-
3009) in the Quorum Court's Budget for 2018.



JOSEPH K. WOOD, County Judge

09.24.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: September 20, 2018
Votes For: 12 Votes Against: 1
Abstention: 0 Absent: 1