

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

Thursday, November 15, 2018
6:00 p.m.

Washington County Quorum Court Room

2018 DEC 26 PM 1:40
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

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

JP Colleen Briney led the prayer and pledge.

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

A motion to move agenda item 29 to follow agenda item 6 was made by JP Dennis and seconded by JP E Madison. JP E Madison made a friendly amendment to include agenda items 27 and 28. JP Dennis accepted the friendly amendment. A voice vote was called and all members present unanimously voted to approve the amendment. A motion to adopt the agenda was made by JP S Madison and seconded by JP Dennis. A voice vote was called and all members present unanimously voted to adopt the agenda as amended.

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 Dennis. A voice vote was called and the motion passed with majority vote. JP Lundstrum opposed.

During citizen's comment time, Laura Villegas, Abel Tomlinson, and Solomon Birchfield spoke about the jail expansion. Abraham Carvajal, Josephine Giger, and Deni Degraff spoke about the Wedington Mines. Lorraine O'Neal spoke about the jails. A motion to suspend the rules and extend the citizen's comment time to fifteen more minutes was made by JP E Madison and seconded by JP Harbison. A voice vote was called and all members present unanimously voted to approve the motion. Robert Stafford, John Maynard, and Todd Crane spoke about the daily fee charges at the Jail. John Maynard spoke about the Wedington Mines. Nakisha Snell spoke on the jail expansion. Evelyn Stafford, Todd Crane, and Anne Britton spoke on the millage increase.

A motion to approve the October 18th minutes was made by JP Ecke and seconded by JP Dennis. A voice vote was called and all members present voted to approve the minutes. JP S Madison abstained.

JP Deavens and JP Dennis introduced agenda item 29.1. There were comments made by various members of the Court, County Attorney Brian Lester, and Planning Director Nathan Crouch. A motion to direct the County Attorney to send a cease and desist letter to the owner of the property to stop all activity in violation of county ordinance until appropriate permits are obtained was made by JP Dennis and seconded by JP Deavens. A voice vote was called and all members present unanimously voted to approve the motion.

JP Ussery introduced agenda item 27.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE LEVYING THE COUNTY, MUNICIPAL AND SCHOOL DISTRICT TAXES FOR THE YEAR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Harbison. There were comments made by various members of the Court, Sheriff Tim Helder, and County Attorney Brian Lester. JP Harbison made a friendly amendment to amend the ordinance to change the County General millage to 4.4. JP Ussery accepted the friendly amendment. During public comment, Jim House, Lorraine O'Neal, John Maynard, Kelly Cantrell, Todd Crane, Jim Estes, Zane Chenault, and Sheriff Tim Helder spoke. A roll call vote was called and the votes were tallied as follow:

JP Balls – Absent
JP Bowman – No
JP Deavens – Yes
JP Dennis – Yes
JP Ecke – Yes
JP Harbison – Yes
JP Briney - Yes
JP Lundstrum – No
JP E Madison – No
JP S Madison – Yes
JP Maxwell – Absent

JP Patterson – No
JP Pond – Yes
JP Rausch – Yes
JP Ussery - Yes

The ordinance failed to obtain the super-majority required to pass with one reading. A motion to suspend the rules and advance the ordinance to second reading by title only was made by JP E Madison and seconded by JP Pond. A voice vote was called and all members present unanimously approved the motion. County Attorney Brian Lester read the ordinance for a second reading by title only, "AN ORDINANCE LEVYING THE COUNTY, MUNICIPAL AND SCHOOL DISTRICT TAXES FOR THE YEAR 2018". A motion to suspend the rules and advance the ordinance to a third and final reading by title only was made by JP E Madison and seconded by JP Pond. A voice vote was called and all members present unanimously approved the motion. County Attorney Brian Lester read the ordinance for a third and final reading by title only, "AN ORDINANCE LEVYING THE COUNTY, MUNICIPAL AND SCHOOL DISTRICT TAXES FOR THE YEAR 2018". There was no public comment. A roll call vote was called and the votes were tallied as follow:

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

Ordinance 2018-46, AN ORDINANCE LEVYING THE COUNTY, MUNICIPAL AND SCHOOL DISTRICT TAXES FOR THE YEAR 2018, was adopted.

JP Ussery introduced agenda item 28.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE RECOGNIZING REVENUES AND APPROPRIATING MONIES FOR THE EXPENDITURES IN EACH FUND FOR WASHINGTON COUNTY, ARKANSAS, FOR THE YEAR 2019, AND ADOPTING A BUDGET FOR THE VARIOUS DEPARTMENTS REFLECTING THE LINE ITEM EXPENDITURES THEREOF". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Harbison. There was a comment made by JP E Madison. A call for the question was made by JP Ecke and seconded by JP Harbison. A roll call vote was called and the votes were tallied as follow:

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

The motion to call for the question was approved. There was no public comment. A roll call vote to adopt the ordinance was called and the votes were tallied as follow:

JP Balls – Absent
JP Bowman – Yes
JP Deavens – Yes
JP Dennis – Yes
JP Ecke – Yes

JP Harbison – Yes
JP Briney - Yes
JP Lundstrum – No
JP E Madison – No
JP S Madison – No
JP Maxwell – Absent
JP Patterson – No
JP Pond – Yes
JP Rausch – Yes
JP Ussery – Yes

The ordinance failed to obtain the super-majority required to pass with one reading. A motion to suspend the rules and advance the ordinance to second reading was made by JP Ecke and seconded by JP Pond. A roll call vote was called and the votes were tallied as follow:

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

The motion failed. This ordinance will be placed on second reading at the next Quorum Court meeting.

County Judge Joseph Wood presented his Judge’s Report. He presented to the Court a Purchasing Department Report of the Disposal of County Property for September and October. He also presented the County Library and HIV Clinic Annual Report. Yvonne Fennell gave a brief presentation about the Quilts of Valor. Judge Wood presented quilts to JP Lundstrum, JP Patterson, JP Pond, and JP Ussery.

Judge Wood introduced agenda item 8.1 – Review of Washington County’s Legislative Audit for the Year 2016. The Quorum Court is required to acknowledge receipt of this audit. All members present acknowledged receipt of the 2016 audit.

JP Bowman introduced agenda item 9.1. County Attorney Brian Lester read the resolution by title only, “A RESOLUTION SUPPORTING THE EMPLOYMENT OF BOND COUNSEL BY THE COUNTY JUDGE TO PREPARE BOND DOCUMENTS FOR WASHINGTON COUNTY”. A motion to adopt the resolution was made by JP Bowman and seconded by JP Harbison. There was no public comment. A roll call vote was called and the votes were tallied as follow:

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

Resolution 2018-11, A RESOLUTION SUPPORTING THE EMPLOYMENT OF BOND COUNSEL BY THE COUNTY JUDGE TO PREPARE BOND DOCUMENTS FOR WASHINGTON COUNTY, was adopted.

JP Deavens introduced agenda item 10.1. County Attorney Brian Lester read the ordinance by title only, “AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING

AND ZONING BOARD (OZARKS ELECTRIC WEDINGTON SUBSTATION)". A motion to adopt the ordinance was made by JP Deavens and seconded by JP Dennis. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

Ordinance 2018-47, AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD (OZARKS ELECTRIC WEDINGTON SUBSTATION), was adopted.

JP Lundstrum introduced agenda item 11.1. County Attorney Brian Lester read the ordinance by title only, "AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD (WHOLESALE MOTORCARS)". A motion to adopt the ordinance was made by JP Lundstrum and seconded by JP Pond. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

Ordinance 2018-48, AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD (WHOLESALE MOTORCARS), was adopted.

JP Pond introduced agenda item 12.1. County Attorney Brian Lester read the ordinance by title only, "AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD (SHADOW ELM MEADERY)". A motion to adopt the ordinance was made by JP Pond and seconded by JP Harbison. There was a comment made by JP E Madison. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

Ordinance 2018-49, AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD (SHADOW ELM MEADERY), was adopted.

JP Ecke introduced agenda item 13.1. This item was tabled at last month's Quorum Court meeting. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE REPEALING ALL PREVIOUS VERSIONS OF THE WASHINGTON COUNTY EMPLOYEE HANDBOOK; AND APPROVING THE WASHINGTON COUNTY EMPLOYEE HANDBOOK 11-2018". There were comments made by JP E Madison and JP Ecke. A motion to suspend the rules and advance the ordinance to a second reading was made by JP Ecke and seconded by JP Pond. A voice vote was called and majority of the members present approved the motion. JP E Madison opposed. County Attorney Brian Lester read the ordinance for a second reading by title only, "AN ORDINANCE REPEALING ALL PREVIOUS VERSIONS OF THE WASHINGTON COUNTY EMPLOYEE HANDBOOK; AND APPROVING THE WASHINGTON COUNTY EMPLOYEE HANDBOOK 11-2018". A motion to suspend the rules and advance the ordinance to a third and final reading was made by JP Ecke and seconded by JP Pond. A voice vote was called and all members present voted unanimously to approve the motion. County Attorney Brian Lester read the ordinance for a third and final reading by title only, "AN ORDINANCE REPEALING ALL PREVIOUS VERSIONS OF THE WASHINGTON COUNTY EMPLOYEE HANDBOOK; AND APPROVING THE WASHINGTON COUNTY EMPLOYEE HANDBOOK 11-2018". A motion to adopt the ordinance was made by JP Ecke and seconded by JP Deavens. There was a comment made by JP Pond. There was no public comment. A roll call vote was called and all members present voted to adopt the ordinance with JP E Madison abstaining.

Ordinance 2018-50, AN ORDINANCE REPEALING ALL PREVIOUS VERSIONS OF THE WASHINGTON COUNTY EMPLOYEE HANDBOOK; AND APPROVING THE WASHINGTON COUNTY EMPLOYEE HANDBOOK 11-2018, was adopted.

JP Ecke introduced agenda item 14.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE CHANGING THE TITLES OF DIVERSION COORDINATOR TO JUVENILE INTAKE DIVERSION COORDINATOR, JUVENILE OFFICER TO JUVENILE PROBATION OFFICER, AND JUVENILE OFFICER/SPECIALIZED POLICE OFFICER TO LEAD JUVENILE OFFICER FOR THE CIRCUIT COURT III BUDGET FOR 2019". A motion to suspend the rules and advance the ordinance to a second reading was made by JP Ecke and seconded by JP Dennis. A voice vote was called and all members present unanimously voted to approve the motion. County Attorney Brian Lester read the ordinance for a second reading by title only, "AN ORDINANCE CHANGING THE TITLES OF DIVERSION COORDINATOR TO JUVENILE INTAKE DIVERSION COORDINATOR, JUVENILE OFFICER TO JUVENILE PROBATION OFFICER, AND JUVENILE OFFICER/SPECIALIZED POLICE OFFICER TO LEAD JUVENILE OFFICER FOR THE CIRCUIT COURT III BUDGET FOR 2019." A motion to suspend the rules and advance the ordinance to a third and final reading was made by JP Ecke and seconded by JP Dennis. A point of order request was made by JP E Madison because the ordinance is requesting changes for 2019 budget and the budget ordinance has not been adopted. The ordinance is out of order. There was a comment made by JP Ecke. A motion to table the ordinance until next month's Quorum Court meeting was made by JP Rausch and seconded by JP Deavens. A voice vote was called and all members present unanimously voted to approve the motion. This ordinance will be placed on next month's agenda.

JP Ussery introduced agenda item 15.1. Judge Stacey Zimmerman requested a line-item transfer of \$2,000 from line-item 3009 (Other Professional Services) to line -item 2001 (General Supplies) \$300,

2002 (Small Equipment) \$770, 3040 (Advertising and Publications) \$130, 3074 (Contract Overage) \$500, 2005 (Food) \$300. A motion to approve the line-item transfer was made by JP Ussery and seconded by JP Dennis. A voice vote was called and all members present unanimously voted to approve the line-item transfer.

JP Ussery introduced agenda item 16.1. Judge Cristi Beaumont requested a line-item transfer of \$15,902 from line-items 1000-0404 -2001 (General Supplies) \$952, 3090 (Dues & Membership) \$2350, and 3092 \$12,600 (Jurors & Witnesses) to 1000-0404-2009 (Computer Equipment) \$2000, 2015 (Drug Kits) \$4000, 3009 (Other Professional Services) \$72, 3020 (Landline Phones) \$600, 3022 (Cell Phones) \$210, 3024 (TV/Cable) \$850, 3032 (Mileage) \$1500, 3073 (Machinery/Equip Lease) \$70, 3094 (Meals & Lodging) \$1400, and 3102 (Software, Support & Maintenance) \$5200. A motion to approve the line-item transfer was made by JP Ussery and seconded by JP Dennis. A voice vote was called and all members present unanimously voted to approve the line-item transfer.

JP Ussery introduced agenda item 17.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE REDUCING \$200,500.00 FROM THE UNAPPROPRIATED RESERVES IN THE COURT COSTS & FINES FUND BUDGET (5800) FOR 2018 AND APPROPRIATING SAID \$200,500.00 TO THE OTHER PROFESSIONAL SERVICES LINE ITEM IN THE BUILDINGS & GROUNDS BUDGET (10000108-3009) FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Ecke. There were comments made by JP S Madison and JP Bowman. There was no public comment. A roll call vote was called and the votes were tallied as follow.

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

The motion failed to obtain super-majority. This ordinance will be placed on second reading at the next Quorum Court meeting.

JP Ussery introduced agenda item 18.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE OF \$10,000 IN THE LAW ENFORCEMENT GRANT FUND FOR 2018; AND APPROPRIATING \$10,000 FROM THE LAW ENFORCEMENT GRANT FUND TO THE ADR GRANT BUDGET FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP E Madison. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

Ordinance 2018-51, AN ORDINANCE ANTICIPATING ADDITIONAL REVENUE OF \$10,000 IN THE LAW ENFORCEMENT GRANT FUND FOR 2018; AND APPROPRIATING \$10,000 FROM THE LAW ENFORCEMENT GRANT FUND TO THE ADR GRANT BUDGET FOR 2018, was adopted.

JP Ussery introduced agenda item 19.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE ANTICIPATING REVENUES OF \$76,000 IN THE ARKANSAS HERITAGE PRESERVATION PROGRAM (AHPP) GRANT FUND (3518-0630); AND, APPROPRIATING \$76,000 TO VARIOUS LINE ITEMS IN THE AHPP BUDGET FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Harbison. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

Ordinance 2018-52, AN ORDINANCE ANTICIPATING REVENUES OF \$76,000 IN THE ARKANSAS HERITAGE PRESERVATION PROGRAM (AHPP) GRANT FUND (3518-0630); AND, APPROPRIATING \$76,000 TO VARIOUS LINE ITEMS IN THE AHPP BUDGET FOR 2018, was adopted.

JP Ussery introduced agenda item 20.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$827,951 IN THE DEM GRANT FUND; AND APPROPRIATING THE AMOUNT OF \$827,951 FROM THE DEM GRANT FUND TO VARIOUS HOMELAND SECURITY BUDGETS FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded

by JP Deavens. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

Ordinance 2018-53, AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$827,951 IN THE DEM GRANT FUND; AND APPROPRIATING THE AMOUNT OF \$827,951 FROM THE DEM GRANT FUND TO VARIOUS HOMELAND SECURITY BUDGETS FOR 2018, was adopted.

JP Ussery introduced agenda item 21.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE ANTICIPATING AN ADDITIONAL \$150,000 IN THE RURAL COMMUNITY GRANT FUND (3503); AND APPROPRIATING \$150,000 FROM THE RURAL COMMUNITY GRANT FUND TO THE BRIDGES AND STEEL LINE ITEM IN THE PARKER BRANCH ROAD BRIDGE MITIGATION PROJECT (35030627-2031) 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 unanimously voted to adopt the ordinance.

Ordinance 2018-54, AN ORDINANCE ANTICIPATING AN ADDITIONAL \$150,000 IN THE RURAL COMMUNITY GRANT FUND (3503); AND APPROPRIATING \$150,000 FROM THE RURAL COMMUNITY GRANT FUND TO THE BRIDGES AND STEEL LINE ITEM IN THE PARKER BRANCH ROAD BRIDGE MITIGATION PROJECT (35030627-2031) FOR 2018, was adopted.

JP Ussery introduced agenda item 22.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$325,000 IN THE DRUG COURT GRANT FUND; AND APPROPRIATING THE AMOUNT OF \$325,000 FROM THE DRUG COURT GRANT FUND TO THE SAMHSA 2018/2019 GRANT BUDGET FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Pond. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

Ordinance 2018-55, AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$325,000 IN THE DRUG COURT GRANT FUND; AND APPROPRIATING THE AMOUNT OF \$325,000 FROM THE DRUG COURT GRANT FUND TO THE SAMHSA 2018/2019 GRANT BUDGET FOR 2018, was adopted.

JP Ussery introduced agenda item 23.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE ANTICIPATING AN ADDITIONAL \$929,999.82 IN THE BRUSH CREEK ROAD BRIDGE FUND (3400 0204) OF THE FEMA GRANT FUND; AND APPROPRIATING \$929,999.82 FROM UNAPPROPRIATED RESERVES OF THE ROAD FUND TO THE FOLLOWING LINE ITEMS IN THE ROAD DEPARTMENT BUDGET (2000 0200) FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Harbison. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

Ordinance 2018-56, AN ORDINANCE ANTICIPATING AN ADDITIONAL \$929,999.82 IN THE BRUSH CREEK ROAD BRIDGE FUND (3400 0204) OF THE FEMA GRANT FUND; AND APPROPRIATING \$929,999.82 FROM UNAPPROPRIATED RESERVES OF THE ROAD FUND TO THE FOLLOWING LINE ITEMS IN THE ROAD DEPARTMENT BUDGET (2000 0200) FOR 2018, was adopted.

JP Ussery introduced agenda item 24.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES OF \$330,000.00 IN THE ROAD FUND 200 AND TRANSFERRING \$330,000.00 FROM THE ROAD FUND 2000 TO THE FEMA FUND 3400 AND APPROPRIATING TO THE 2018 FEMA 2017 FLOOD BUDGET (3400 0202) FOR 2018". A motion to adopt the ordinance was made by JP Ussery and seconded by JP Pond. There was no public comment. A roll call vote was called and all members present unanimously voted to adopt the ordinance.

Ordinance 2018-57, AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES OF \$330,000.00 IN THE ROAD FUND 200 AND TRANSFERRING \$330,000.00 FROM THE ROAD FUND 2000 TO THE FEMA FUND 3400 AND APPROPRIATING TO THE 2018 FEMA 2017 FLOOD BUDGET (3400 0202) FOR 2018, was adopted.

JP Ussery introduced agenda item 25.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES OF \$19,676.00 AND APPROPRIATING ADDITIONAL REVENUES OF \$19,676.00 IN GENERAL FUND – SHERIFF WORK RELEASE". 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 unanimously voted to adopt the ordinance.

Ordinance 2018-58, AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES OF \$19,676.00 AND APPROPRIATING ADDITIONAL REVENUES OF \$19,676.00 IN GENERAL FUND – SHERIFF WORK RELEASE, was adopted.

JP Ussery introduced agenda item 26.1. County Attorney Brian Lester read the ordinance by title only, "AN ORDINANCE TO CHANGE THE TITLES OF PERSONNEL POSITIONS IN THE SHERIFF AND JAIL BUDGETS

FOR 2018; APPROPRIATING THE AMOUNT OF \$4,720.56 FROM THE GENERAL FUND TO THE SHERIFF-ENFORCEMENT BUDGET FOR 2018; AND APPROPRIATING THE AMOUNT OF \$541.25 FROM THE JAIL FUND TO THE SHERIFF-JAIL BUDGET 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 unanimously voted to adopt the ordinance.

Ordinance 2018-59, AN ORDINANCE TO CHANGE THE TITLES OF PERSONNEL POSITIONS IN THE SHERIFF AND JAIL BUDGETS FOR 2018; APPROPRIATING THE AMOUNT OF \$4,720.56 FROM THE GENERAL FUND TO THE SHERIFF-ENFORCEMENT BUDGET FOR 2018; AND APPROPRIATING THE AMOUNT OF \$541.25 FROM THE JAIL FUND TO THE SHERIFF-JAIL BUDGET FOR 2018, was adopted.

JP Bowman gave an update on Public Works – There was no meeting due to lack of an agenda.

JP Dennis gave an update on County Services – There was no meeting due to lack of an agenda.

JP Ecke gave an update on Personnel – Discussed the title changes for Juvenile Court and title changes and grade changes for the Sheriff's Office.

JP Ussery gave an update on Finance & Budget – There was discussion on the budget and increasing the millage. JP Ussery stated that he was very appreciative of the Grant's Administrator for all the grants that have been done this year.

During "Other Business" JP S Madison spoke on the daily fees on the jail which will be on the December Quorum Court agenda. JP S Madison made a motion to delay the discussion on the jail's daily fee until the January agenda to give the cities more time. The motion was seconded by JP E Madison. There were comments made by various members of the Court. A voice vote was called and the motion did not receive majority vote. The motion failed. JP S Madison also spoke about the Buildings & Grounds training and Quorum Court video recording. There was a comment made by County Attorney Brian Lester. JP E Madison shared her concerns about an ordinance requiring the meetings to be televised. There were comments made by JP Pond and JP Harbison, County Attorney Brian Lester, and County Judge Joseph Wood.

A motion to adjourn the meeting was made by JP Pond and seconded by JP E Madison. The meeting was adjourned at 9:30 pm.

Respectfully submitted by

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

Patty Burnett
Quorum Court Coordinator

ORDINANCE NO. 2018-46

2018 NOV 20 PM 3:24
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

APPROPRIATION ORDINANCE:

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

**AN ORDINANCE LEVYING THE COUNTY, MUNICIPAL AND
SCHOOL DISTRICT TAXES FOR THE YEAR 2018.**

WHEREAS, Article 7, Section 30, of the Constitution of the State of Arkansas requires the Justices of the Peace of each county to "sit with and assist the County Judge in levying the county taxes"; and,

WHEREAS, A.C.A. 14-14-904 provides that "The Quorum Court, at its regular meeting in November or December of each year, shall levy the county, municipal, and school taxes for the current year."

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

ARTICLE 1. The following taxes are hereby levied for the Year 2018 for Washington County, Arkansas:

Real Estate/Personal Property

- (A) County General 4.4 mills
- (B) County Road 1.1 mills
- (C) County Library 1.0 mills*

* To be collected throughout the County except for property within the City Limits of Fayetteville.

ARTICLE 2. The following taxes are hereby levied for the Year 2018 for the respective municipalities within Washington County, Arkansas (see attached appendix for breakdown):

Real Estate/Personal Property

- (A) Fayetteville 6.8 mills**
- (B) Springdale 8.2 mills
- (C) Elkins 5.0 mills
- (D) Greenland 2.9 mills
- (E) West Fork 5.0 mills
- (F) Winslow 3.0 mills

ORDINANCE NO. 2018-46
PAGE 2

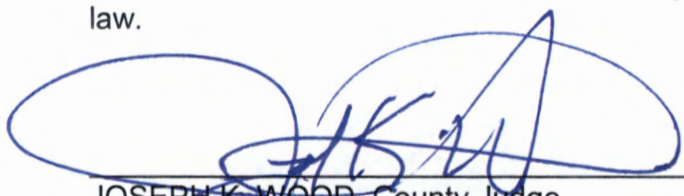
- (G) Farmington 5.0 mills
- (H) Tontitown 3.5 mills
- (I) Elm Springs 5.0 mills
- (J) Johnson 5.0 mills
- (K) Prairie Grove 6.5 mills
- (L) Lincoln 6.5 mills
- (M) Goshen 3.0 mills

** 3.7 mills is a library millage and is to be collected only inside the City Limits of Fayetteville; 3.1 mills is for all other legal purposes.

ARTICLE 3. The following taxes are hereby levied for the Year 2018 for the respective school districts within Washington County, Arkansas:

	<u>Real Estate/Personal Property</u>		
	<u>Debt</u>	<u>M & O</u>	<u>Total</u>
(A) Fayetteville #1	20.65 mills	25.0 mills	45.65 mills
(B) Farmington #6	17.6 mills	25.0 mills	42.6 mills
(C) Elkins #10	19.2 mills	25.0 mills	44.2 mills
(D) Prairie Grove #23	17.9 mills	25.0 mills	42.9 mills
(E) Lincoln #48	17.7 mills	25.0 mills	42.7 mills
(F) Springdale #50	15.5 mills	25.0 mills	40.5 mills
(G) Greenland #95	14.5 mills	25.0 mills	39.5 mills
(H) West Fork, #141	16.6 mills	25.0 mills	41.6 mills
(I) Benton County, #21	20.0 mills	25.0 mills	45.0 mills

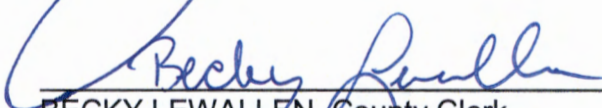
ARTICLE 4. The levy of taxes for 2018 is in accordance with State law.



 JOSEPH K. WOOD, County Judge

11-20-2018

 DATE



 BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
 Date of Passage: November 15, 2018
 Votes For: 9 Votes Against: 4
 Abstention: 0 Absent: 2

CITY MILLAGES 2018

	REAL ESTATE	PERSONAL
Fayetteville	6.8	
Springdale	8.2	
Elkins	5	
Greenland	2.9	
West Fork	5	
Winslow	3	
Farmington	5	
Tontitown	3.5	
Elm Springs	5	
Johnson	5.0	
Prairie Grove	6.50	
Lincoln	6.5	
Goshen	3	

SCHOOL MILLAGES 2018

	Total	Debt	M & O
Fayetteville # 1	45.65	20.65	25.00
Farmington #6	42.60	17.60	25.00
Elkins #10	44.2	19.2	25.0
Prairie Grove #23	42.9	17.9	25.0
Lincoln #48	42.7	17.7	25.0
Springdale #50	40.50	15.50	25.00
Greenland #95	39.5	14.5	25.0
West Fork #141	41.6	16.6	25.0
Benton County #21	45.0	20.0	25.0

COUNTY MILLAGES 2018

County General	
County Road	
County Library	



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 OCT -1 AM 10: 15

FILED

City Clerk

Elkins

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL 5 MILLS

BREAKDOWN (with four blank lines for input)

R. Bruce Bedford MAYOR
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO., AR

2018 OCT -4 AM 9:41

FILED

City Clerk

Elm Springs

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen

Becky Lewallen
Washington County Clerk

TOTAL 5 MILLS

BREAKDOWN

Four horizontal lines for tax breakdown

Signature and title of person authorized to submit tax

RESOLUTION NO. 2018-06

CITY OF ELM SPRINGS, ARKANSAS
2018 MILLAGE RESOLUTION – WASHINGTON COUNTY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELM SPRINGS, ARKANSAS

WHEREAS, Arkansas Code Annotated provides that a City or Town may levy a tax on the real and personal property located within the city for general purposes, in any one year, pursuant to the provisions of the Arkansas Constitution.

1. That the City Council of the City of Elm Springs, Arkansas, does hereby certify the following millage rates for municipal taxes to the Quorum Court of Washington County, Arkansas:

Real Estate

- a) General Fund.....5.0 mills
- b) Pursuant to Amendment 79, the millage for the personal property tax shall be levied at the same rate as the real estate millage (5.0 mills).

2. Said rate of taxation shall be certified to the County Clerk to be placed upon the tax books and collected in the same manner that the State and County taxes are collected.

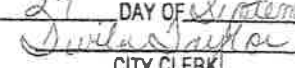
PASSED AND APPROVED THIS 27th DAY OF SEPTEMBER, 2018.


Harold Douthit, Mayor

Attest:

Twila Taylor, Recorder



I CERTIFY THIS IS A TRUE AND
CORRECT COPY OF THE ORIGINAL DOCUMENT.
DATED THIS 27 DAY OF September
20 18 
CITY CLERK



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

FILED
2018 OCT 10 AM 10:16
BECKY LEWALLEN
CO. CLERK
WASHINGTON CO. AR

City Clerk

Farmingington

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL 5 MILLS

BREAKDOWN (with four blank lines for input)

Kelly Penn - City Clerk (handwritten signature)
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX

OFFICE OF THE CITY CLERK TREASURER

Sondra E. Smith – City Clerk Treasurer
Lisa Branson – Deputy City Clerk



Phone 479.575.8323
cityclerk@fayetteville-ar.gov

113 W. Mountain Street, Suite 308
Fayetteville, AR 72701

October 8, 2018

Becky Lewallen
Washington County Clerk
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701

RE: City of Fayetteville
Real and Personal Property Tax Levy 2018
Ordinance No. 6089

Dear Ms. Lewallen,

Attached is a copy of Ordinance No. 6089 that was passed and approved by the Fayetteville City Council on September 18, 2018 levying the real and personal property tax rates for the City of Fayetteville for the year 2018. I hereby certify that Ordinance No. 6089 is a true and correct copy filed in my office on the 18th day of September 2018.

Thank you in advance for your attention to this matter.

Sincerely,

Sondra E. Smith
City Clerk Treasurer
City of Fayetteville, Arkansas

cc: Lioneld Jordan, Mayor
Paul Becker, Chief Financial Officer
Kit Williams, City Attorney
Kevin Springer, Budget Director
Kyle Sylvester, Circuit Clerk
Russell Hill, County Assessor
Angela Wood, County Collector

FILED
2018 OCT -9 PM 2:05
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

CERTIFICATE OF RECORD

City of Fayetteville }
State of Arkansas } ss.

I, Sondra E. Smith, City Clerk/Treasurer for the City of Fayetteville, do hereby certify that the foregoing instrument is a true and correct copy of the original filed in my office on the 18th day of September, 2018. Witness my hand and seal this 9th day of October, 2018.
Sondra E. Smith
Sondra E. Smith, City Clerk/Treas



113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Ordinance: 6089

File Number: 2018-0485

2018 MILLAGE LEVY:

AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF FAYETTEVILLE, ARKANSAS, FOR THE YEAR 2018 FIXING THE RATE THEREOF AT 2.3 MILLS FOR GENERAL FUND OPERATIONS, 0.4 MILLS FOR THE FIREMEN’S PENSION AND RELIEF FUND, 0.4 MILLS FOR THE POLICEMEN’S PENSION AND RELIEF FUND, 2.5 MILLS FOR FAYETTEVILLE PUBLIC LIBRARY OPERATIONS, AND 1.2 MILLS FOR THE FAYETTEVILLE PUBLIC LIBRARY EXPANSION; AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That a tax is hereby levied on the real and personal property within the City of Fayetteville, Arkansas, for the year 2018 to be collected in 2019 for the following purposes at the following rates:

REAL AND PERSONAL PROPERTY

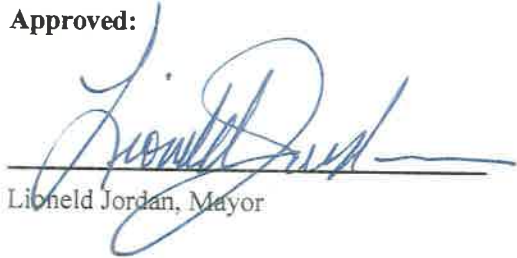
<u>Purpose</u>	<u>Levy</u>
General Fund - Operations	2.3 mills
Fayetteville Public Library - Operations	2.5 mills
Fayetteville Public Library - Expansion	1.2 mills
Policemen’s Pension and Relief Fund	0.4 mills
Firemen’s Pension and Relief Fund	<u>0.4 mills</u>
TOTAL	6.8 mills

Section 2. That the real and personal property tax so levied and the rates provided therefor are hereby certified to the County Clerk of Washington County, Arkansas, to be placed in the tax book and collected in the same manner that the county and school district taxes are collected.


Section 3. The City Clerk is hereby authorized and directed to file certified copies of this Ordinance in the Office of the County Recorder, County Clerk, County Assessor, and the County Tax Collector for Washington County, Arkansas.

PASSED and APPROVED on 9/18/2018

Approved:


Lionel Jordan, Mayor

Attest:


Sondra E. Smith, City Clerk Treasurer





WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

RECEIVED

SEP 07 2018

CITY OF FAYETTEVILLE
CITY CLERK'S OFFICE

BECKY LEWALLEN
County And Probate Clerk

City Clerk

Fayetteville

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen

Becky Lewallen
Washington County Clerk

Table with columns for TOTAL, BREAKDOWN, MILLS, and descriptions of tax levies such as General Fund - Operations, Fayetteville Public Library - Operations, etc.

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

City Clerk

Goshen

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen
Washington County Clerk

TOTAL 3 MILLS

BREAKDOWN 3 MILLS - AD VALOREM PROPERTY

Tax FOR GENERAL PURPOSE

Aaron Bappert Recorder/Treasurer
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX

ORDINANCE NO. 161

AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF GOSHEN, ARKANSAS, FOR THE YEAR 2018 FIXING THE RATE THEREOF AT 3.0 MILS AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS AND TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES

BECKY LEWALLEN
CO. CLERK
WASHINGTON CO. AR

2018 OCT 12 PM 4:27

FILED

WHEREAS, it is necessary to collect taxes on both real and personal property in order to provide services to the citizens of the City of Goshen and perform the functions of a municipality; and,

WHEREAS, governing bodies of the municipalities of the state are required to by law to levy ad valorem property taxes each year in an amount up to five (5) mills; and,

WHEREAS, a levy is needed to properly finance the operation of the government of the City of Goshen.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GOSHEN, ARKANSAS:

SECTION 1. That a tax is hereby levied on the real and personal property within the City of Goshen, Arkansas for the year 2018, to be collected in 2019, for the following purposes at the following rates:

REAL AND PERSONAL PROPERTY

<u>Purpose</u>	<u>Levy</u>
General Fund	3.0 Mills

SECTION 2. That the real and personal property tax so levied and the rate provided therefore are hereby certified to the Clerk of Washington County, Arkansas, to be placed in the tax book by the County Clerk and collected in the same manner that the county and school district taxes are collected.

SECTION 3. That the City Recorder is authorized and directed to file certified copies of the Ordinance in the Office of the County Recorder, County Clerk, County Assessor and the County Tax Collector for Washington County, Arkansas.

SECTION 4. REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5. SEVERABILITY: If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional.

SECTION 6. EMERGENCY CLAUSE: The City Council of the City of Goshen has determined that fiscally the City needs this revenue to address the various issues facing the City and that this Ordinance is necessary to adequately and properly protect the inhabitants of the City; and because these matters are such pressing business, it is viewed that an immediate solution is necessary thereby creating an emergency. It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 9th day of October, 2018.




Max Poye, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Paula Anderson
Andy Bethell
Brian Buell
Cathy Oliver

Names Of Those Voting NAY

Dick Seddon

Absent

Lanny Samuels

ROLL CALL VOTE ADOPTING THE EMERGENCY CLAUSE

Names Of Those Voting YEA

Paula Anderson

Andy Bethell

Brian Buell

Cathy Oliver

Dick Seddon

Names Of Those Voting NAY

Absent

Lanny Samuels

CERTIFICATION

I, Sharon Baggett, certify that I am the Recorder for the City of Goshen; that I am the person authorized to certify documents from the official records of the City of Goshen; that on October 9, 2018 at a regular meeting of the City Council of Goshen, the attached Ordinance No. 161 was presented as required by statute; that the ordinance was adopted on October 9, 2018 by motion properly made and duly seconded, by a majority vote of the aldermen of the Goshen City Council, as duly noted at the end of the ordinance; that the emergency clause contained in the ordinance was adopted by motion properly made and duly seconded, by a majority vote of the aldermen of the Goshen City Council and that subsequently the ordinance was posted in five public places within the City of Goshen, consistent with the ordinances of the City of Goshen and state law; and therefore is, by law, considered effective; and that said ordinance having properly adopted and now effective, is officially part of the records of the City of Goshen.

This certification is executed this 11th of October, 2018, in my official capacity as Recorder of the City of Goshen.

WITNESS MY HAND AND SEAL ON THE DATE HEREINABOVE STATED.



Sharon Baggett

Sharon Baggett, Recorder

2018 OCT 15 PM 1:27
RECORDED & INDEXED
WASCO
FILED



WASHINGTON COUNTY

STATE OF ARKANSAS

Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 17 AM 10:33

FILED

City Clerk

Greenland

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL 2.9 MILLS

BREAKDOWN (four blank lines for breakdown)

Stephanie Shap Recorder/Treasurer
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

FILED
2018 SEP 13 PM 2:19
BECKY LEWALLEN
COUNTY CLERK

BECKY LEWALLEN
County And Probate Clerk

City Clerk

Johnson

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen

Becky Lewallen
Washington County Clerk

TOTAL 5.0 MILLS

BREAKDOWN _____

Scott Allen Recorder/Treasurer
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX

RESOLUTION NO. 2018- 14

A RESOLUTION LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF JOHNSON, ARKANSAS, FOR THE YEAR 2018, FIXING THE RATE THEREOF AT FIVE MILLS, AND CERTIFYING THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JOHNSON, ARKANSAS:

Section 1: That a tax is hereby levied on the real and personal property within the City of Johnson, Arkansas, for the year 2018, to be collected in 2019, at the rate of five mills.

Section 2: That the real and personal property tax so levied and the rates provided therefor are hereby certified to the Clerk of Washington County, Arkansas, to be placed in the tax book by the County Clerk and collected in the same manner that the county and school district taxes are collected.


Section 3: The Recorder-Treasurer is hereby authorized and directed to file certified copies of this resolution in the office of the County Recorder, County Clerk, County Assessor, and the County Tax Collector for Washington County, Arkansas.

PASSED AND APPROVED this 11th day of September, 2018.

APPROVED:


CHRIS KEENEY, Mayor

ATTEST:


JENNIFER ALLEN, Recorder-Treasurer



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

2018 SEP 27 AM 9:51
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

City Clerk

Lincoln

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL Six and One-half mills (6.5) MILLS

BREAKDOWN

General Fund: Five Mills (5)

Police Department: (Voluntary) One Mill (1)

Fire Department: (Voluntary) One-half mill (.5)

Glenn DeBe Business Manager (handwritten signature and title)

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX

RESOLUTION NO. 2018- 13

A RESOLUTION TO DETERMINE THE PROPERTY TAX LEVY WITHIN THE CITY OF LINCOLN ARKANSAS, AND TO FORWARD SAID DETERMINATION TO THE WASHINGTON COUNTY QUORUM COURT

WHEREAS, the City of Lincoln must determine the extent of property tax levy annually and forward the same to the Washington County Quorum Court; and

WHEREAS, property tax is an important, fair and reasonable source of general revenue for the continuing operation of municipal government; and

WHEREAS, it is in the best interest of the people of the City of Lincoln that the levy be extended;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN, ARKANSAS:

Section 1: The property tax levy shall be and is recommended to the Washington County Quorum Court at:

General Fund: Five (5) mills

Police Department (voluntary): One (1) mill

Fire Department (voluntary): One-half (0.5) mill.

Section 2: The Clerk-Treasurer should be, and hereby is, directed to forward a copy of this resolution to the County Clerk of Washington County for delivery to the Washington County Quorum Court to assist in its deliberations at its November 2018 meeting.

PASSED AND APPROVED this 18th day of September, 2018.

APPROVED:



Rob Hulse, Mayor

ATTEST:



Becky Carter, Clerk-Treasurer





WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

City Clerk

Lincoln

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL Six and One-half mills (6.5) MILLS

BREAKDOWN

General Fund: Five Mills (5)

Police Department: (Voluntary) One Mill (1)

Fire Department: (Voluntary) One-half mill (.5)

Blonde Mabe Business Manager (handwritten signature)

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 20 AM 9:39

FILED



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

City Clerk

Prairie Grove

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen

Becky Lewallen
Washington County Clerk

2018 OCT -1 AM 10:15
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

TOTAL 6.50 MILLS

BREAKDOWN General Fund 5 mills
Police Dept (vol) 1 mill
Fire Dept (vol) -.50 mill

Christine Kelly, City Clerk/Treasurer
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 OCT - 1 AM 9: 01

FILED

City Clerk

Springdale

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

Table with 3 columns: Fund Name, REAL ESTATE, PERSONAL PROPERTY. Rows include GENERAL FUND, FIREMEN'S PENSION, POLICEMEN'S PENSION, and TOTAL.

SECTION 2: The 2018 voluntary taxes to be collected by the Washington County Tax Collector are as follows:

Table with 3 columns: Fund Name, REAL ESTATE, PERSONAL PROPERTY. Rows include CITY FIRE FUND, LIBRARY, and TOTAL.

Denise Pearce, City Clerk/Treasurer
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX

RESOLUTION NO. 130-18

A RESOLUTION TO LEVY WASHINGTON COUNTY AD VALOREM TAXES OF THE CITY OF SPRINGDALE, ARKANSAS.

WHEREAS, governing bodies of the municipalities of the State of Arkansas are required by law to levy ad valorem taxes at their regular meeting in October of each year; and,

WHEREAS, certain levies are needed to properly finance the operation of the City of Springdale, Arkansas.

WHEREAS, all property taxes and voluntary taxes will be collected by the Tax Collector of Washington County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:

SECTION 1: That the following levies be approved for collection in the year 2019 and that copies of this Resolution be sent to the County Clerk and Tax Collector of Washington County.

The 2018 property tax levy to be collected by the Washington County Tax Collector are as follows:

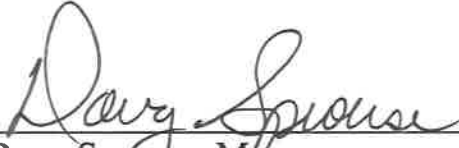
	REAL ESTATE	PERSONAL PROPERTY
GENERAL FUND	.0047	.0047
FIREMEN'S PENSION	.0005	.0005
POLICEMEN'S PENSION	.0005	.0005
TOTAL	<u>.0057</u>	<u>.0057</u>

SECTION 2: The 2018 voluntary taxes to be collected by the Washington County Tax Collector are as follows:

	REAL ESTATE	PERSONAL PROPERTY
CITY FIRE FUND	.0015	.0015
LIBRARY	.001	.001
TOTAL	<u>.0025</u>	<u>.0025</u>

SECTION 3: The voluntary taxes will be printed in the Washington County Tax Collector's office and shall be billed and collected by the Washington County Tax Collector's office.

PASSED AND APPROVED this 25TH day of September, 2018.



Doug Sprouse, Mayor

ATTEST:



Denise Pearce, City Clerk

APPROVED AS TO FORM:



Ernest B. Cate, City Attorney



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 19 AM 10:32

FILED

City Clerk

Tontitown

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL 3.5 MILLS

BREAKDOWN (four blank lines)

Signature and Title of Person Authorized to Submit Tax (handwritten: D. A. Baker, Admin Asst to the Mayor)

RESOLUTION NO. 2018-09- 808R

**A RESOLUTION TO LEVY AD VALOREM TAXES FOR
THE CITY OF TONTITOWN, ARKANSAS.**

WHEREAS, governing bodies of the municipalities of the State of Arkansas are required by law to levy *ad valorem* taxes each year in an amount up to five (5) mills; and

WHEREAS, certain levies are needed to properly finance the operation of the government of the city of Tontitown, Arkansas.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the city of Tontitown, Arkansas:


Section 1: That the following levy be approved for collection in the year 2019 and copies of this Resolution be sent to the County Clerk of Washington County, Arkansas.


Section 2: The 2019 Property Tax Levy shall be as follows:

<u>PURPOSE</u>	<u>LEVY</u>
Tontitown General Fund	Three and one half (3.5) mills

Section 3: That the Quorum Court of Washington County, Arkansas, is authorized to levy the requested tax for the city of Tontitown, Arkansas, for the year of 2019.

PASSED AND APPROVED this 4th day of September, 2018.


Paul Colvin, Jr., Mayor


Rhonda Ardemagni, City Recorder
(Seal)

TIME RECEIVED
October 10, 2018 at 9:33:13 AM CDT

REMOTE CSID

DURATION
28

PAGES
1

STATUS
Received

OCT/10/2018/WED 09:32 AM

FAX No.

P. 001/001



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

City Clerk

West Fork

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen
Washington County Clerk

TOTAL 5 MILLS

BREAKDOWN general

Hristie Dymon Finance Director

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 OCT 10 AM 9:39

FILED



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

City Clerk

Winslow

Dear Clerk:

Please submit the tax levy figures for your City for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form.

Sincerely yours,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL .003 MILLS

BREAKDOWN (multiple blank lines)

(Handwritten signature) 09/11/2018
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 14 AM 9:51

FILED



WASHINGTON COUNTY

STATE OF ARKANSAS

Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 17 AM 10:33

FILED

School Superintendent

Elkins

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen

Becky Lewallen
Washington County Clerk

TOTAL 44.2 MILLS
19.2 DEBT SERVICE
25.0 M & O
None OTHER

Sperry Mays Superintendent
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 14 AM 9:51

FILED

School Superintendent

Farmington

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen

Becky Lewallen
Washington County Clerk

TOTAL 42.60 MILLS
17.60 DEBT SERVICE
25.00 M & O
OTHER

Signature

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

FILED
2018 NOV -1 AM 10:26
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

School Superintendent

Fayetteville

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen

Becky Lewallen
Washington County Clerk

TOTAL 45.65 MILLS
20.65 DEBT SERVICE
25.00 M & O
OTHER

John L. Colbert, Superintendent
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CLERK & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 12 AM 10:52

FILED

School Superintendent

Greenland

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen

Becky Lewallen
Washington County Clerk

TOTAL 39.5 MILLS
14.5 DEBT SERVICE
25.0 M & O
0 OTHER

Andrea Marts Superintendent

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP -7 AM 10:20

FILED

BECKY LEWALLEN
County And Probate Clerk

School Superintendent

Lincoln

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen

Becky Lewallen
Washington County Clerk

TOTAL 42.7 MILLS
17.7 DEBT SERVICE
25.0 M & O
OTHER

Superintendent
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

2018 NOV -2 AM 10:03
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

School Superintendent

Prairie Grove

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL 42.9 MILLS
17.9 DEBT SERVICE
25.0 M & O
OTHER

Reba Holmes - Superintendent
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 14 AM 9:51

FILED

School Superintendent

Siloam Springs

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

Table with 2 columns: Category and Value. Rows include TOTAL (45.0), DEBT SERVICE (20.0), M & O (25.6), and OTHER (N/A).

(Handwritten signature)

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 SEP 17 AM 10:33

FILED

School Superintendent

Siloam Springs

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL 45.0 MILLS
20.0 DEBT SERVICE
25.0 M & O
N/A OTHER

(Handwritten signature)

SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
CO. CLERK & PROBATE CLERK
WASHINGTON COUNTY, ARKANSAS

2018 SEP 11 AM 9:17

FILED

BECKY LEWALLEN
County And Probate Clerk

School Superintendent

Springdale

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

TOTAL 40.50 MILLS
15.50 DEBT SERVICE
25.00 M & O
OTHER

Kelly Hays, Comptroller
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX



WASHINGTON COUNTY

STATE OF ARKANSAS
Washington County Courthouse
280 North College Avenue, Suite 300
Fayetteville, Arkansas 72701
Telephone: (479) 444-1711
Fax: (479) 444-1894

BECKY LEWALLEN
County And Probate Clerk

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 NOV -2 AM 9:59

FILED

School Superintendent

West Fork

Dear Superintendent:

Please submit the tax levy figures for your School District for the year 2018. The Quorum Court meets on November 20th. I need this information by the beginning of November. Please give us the total levy figure and complete breakdown of tax in the space provided below. This information must be provided on this form. If you have any questions please don't hesitate to call this office.

Thank you,

Becky Lewallen (handwritten signature)

Becky Lewallen
Washington County Clerk

Table with 2 columns: Category and Value. Rows: TOTAL 41.6 MILLS, DEBT SERVICE 16.6, M & O 25.0, OTHER 0.0

(Handwritten signature) SUPERINTENDENT
SIGNATURE AND TITLE OF PERSON AUTHORIZED TO SUBMIT TAX

FILED

2018 NOV 20 PM 3:24

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

RESOLUTION NO. 2018-11

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

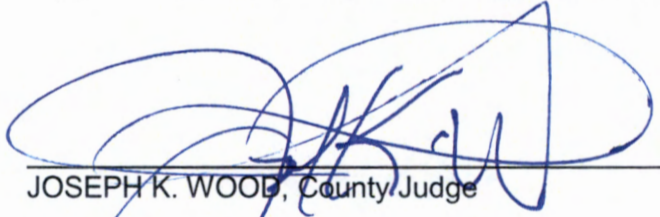
**A RESOLUTION SUPPORTING THE
EMPLOYMENT OF BOND COUNSEL BY THE
COUNTY JUDGE TO PREPARE BOND
DOCUMENTS FOR WASHINGTON COUNTY.**

WHEREAS, the Washington County Quorum Court desires to refer to the electorate the option of issuing bonds for the construction of additional pods at the county jail; and

WHEREAS, the County needs to retain bond counsel to assist in the preparation of documents to refer said issue to the electorate and to issue said bonds.

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

ARTICLE 1. The Washington County Quorum Court publicly supports the County Judge in the employment of bond counsel for Washington County.



JOSEPH K. WOOD, County Judge

11.20.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Joel Maxwell
Date of Passage: November 15, 2018
Votes For: 12 Votes Against: 1
Abstention: 0 Absent: 2

ORDINANCE NO. 2018-47

2018 NOV 20 PM 3:24
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 EMERGENCY ORDINANCE RATIFYING A
CONDITIONAL USE PERMIT GRANTED BY THE
PLANNING AND ZONING BOARD.

WHEREAS, the Planning and Zoning Board granted a Conditional
Use Permit on November 1, 2018 for the Ozarks Electric Wedington Substation; and,


WHEREAS, immediate ratification is necessary by the Quorum
Court to prevent undue delay and expense to the applicant; and,

WHEREAS, ratification will not affect any appeal rights any person
may have.

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

ARTICLE 1. That the Conditional Use Permit for the Ozarks
Electric Wedington Substation granted by the Planning and Zoning Board is hereby ratified.

ARTICLE 2. Emergency Clause: It is hereby determined that it is
in the best interest of the applicant and the public for this ordinance to be effective immediately;
therefore, an emergency is declared to exist and this ordinance shall be and is effective on the
date of its passage.



JOSEPH K. WOOD, County Judge

11.20.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Joel Maxwell
Date of Passage: November 15, 2018
Votes For: 13 Votes Against: 0
Abstention: 0 Absent: 2

Ozarks Electric Wedington Substation CUP

The Planning Board/Zoning Board of Adjustments approved Ozarks Electric Wedington Substation Conditional Use Permit (with conditions) on November 1, 2018.

Staff does not expect any appeals on this CUP and recommends ratification of the project.

County

c. Ozarks Electric Wedington Substation CUP

Conditional Use Permit Request

Location: Section 19, Township 16, Range 32

Owners: Ozarks Electric Cooperative

Engineer: Robert Erickson

Location Address: N Jackson HWY WC 669

Approximately: +/- 6.73 acres /1 lot

Proposed Land Use: Utility Substation

Coordinates: Latitude: 36.06003171, Longitude: -94.42566467

Project #: 2018-319 Planner: Nathan Crouch email: ncrouch@co.washington.ar.us

The owner of this property is Ozarks Electric. The applicant is Robert Erickson, of Ozarks Electric. This property is located off N. Jackson Hwy, WC-669.

This CUP request is to allow an electric utility substation to occupy approximately 3.2 acres on a 6.8 acre parcel of land. The substation will be enclosed in a 240 x 240 ft fenced-in compound. No restroom/septic system or water service is proposed.

A detention pond is proposed and was evaluated in the Large Scale Development review.

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this Conditional Use Permit request. One comment was received by mail with concerns regarding increased traffic volume. But since the applicant modified the request to eliminate the tasting room and on-site sales the added traffic was eliminated as well, so traffic would no longer be an issue.

Staff recommended approval of the proposed Ozarks Electric Wedington Substation Conditional Use Permit with conditions.

The Planning Board/ Zoning Board of Adjustments approved (6 members voted “in favor”, 0 members voted “against”, 1 member was not present) the project with the following conditions:

Fire Conditions:

1. Oil spill containment plan (for the oil in the transformers)
2. Driveway minimum width of 20 ft compacted to support 75,000 lbs in all weather conditions.
3. Put a knox lock on the gate out front,
4. No fire apparatus turnaround is required.
5. Install a fire hydrant.
6. State the size of the water mains on both sides of Jackson Hwy and install hydrant on the side with the highest gpm at 25psi residual.
7. Install “Fire Lane – No Parking” signs along the access drive.
8. Final inspection is required by the Washington County Fire Marshal before this facility may begin operation.
9. The applicant is responsible for notifying the Washington County Fire Marshal when inspections are needed.

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. All entrance drives and parking areas must support 75,000lbs in all weather conditions.

2. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

Environmental Conditions:

1. At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).

Utility Conditions:

Ozarks Electric:

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com

Signage/Lighting Conditions:

1. Signage cannot be placed in the County Right-of-Way.
2. Any outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately. Please refer to the diagram in the staff report attachments.

Standard Conditions:

1. Pay neighbor notification mailing fees (\$16.28) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 10/24/18).
2. Pay engineering fees within 30 days of project approval (will be calculated at Final LSD). Any extension must be approved by the Planning Office.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. This CUP must be ratified by the Quorum Court.
5. It is the applicant's responsibility to contact the Planning Office when inspections are needed.
6. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.
 - o *This project requires additional review (Preliminary & Final Large Scale Development), and therefore, the applicant must submit for Preliminary Large Scale Development review within 12 months of this CUP project's ratification.*

* County Ordinance allows for an appeal period (for any party: applicant, neighbor, member of the public, etc) within 30 days of the Planning Board/ZBA approval. Even if the Quorum Court ratifies the CUP; the right of appeal remains until the 30 days has passed. If an appeal is filed within the 30 day period then a subsequent hearing will be scheduled and held by the Quorum Court.*

ORDINANCE NO. 2018-48

2018 NOV 20 PM 3:24
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 EMERGENCY ORDINANCE RATIFYING A
CONDITIONAL USE PERMIT GRANTED BY THE
PLANNING AND ZONING BOARD.

WHEREAS, the Planning and Zoning Board granted a Conditional
Use Permit on November 1, 2018 for Wholesale Motorcars; and,

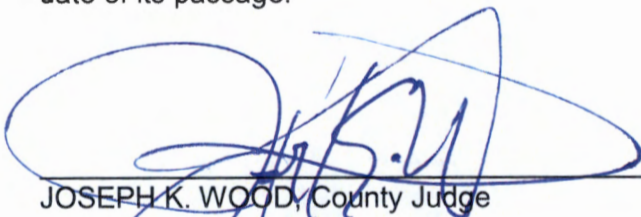
WHEREAS, immediate ratification is necessary by the Quorum
Court to prevent undue delay and expense to the applicant; and,

WHEREAS, ratification will not affect any appeal rights any person
may have.

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

ARTICLE 1. That the Conditional Use Permit for Wholesale
Motorcars granted by the Planning and Zoning Board is hereby ratified.

ARTICLE 2. Emergency Clause: It is hereby determined that it is
in the best interest of the applicant and the public for this ordinance to be effective immediately;
therefore, an emergency is declared to exist and this ordinance shall be and is effective on the
date of its passage.


JOSEPH K. WOOD, County Judge

11.20.2018
DATE


BECKY LEWALLEN, County Clerk

Sponsor: Tom Lundstrum
Date of Passage: November 15, 2018
Votes For: 13 Votes Against: 0
Abstention: 0 Absent: 2

Wholesale Motorcars CUP

The Planning Board/Zoning Board of Adjustments approved Wholesale Motorcars CUP, with conditions, request on November 1, 2018 (6 members voted “in favor”, 0 members voted “against”, 1 member was absent).

The project parcel is located in the northwest part of the County. It is accessible from Arkansas State Highway 412 from a road called Wildcat Creek WC 851.

Wholesale Motorcars is seeking Conditional Use Permit approval to operate a retail automotive sales dealership on a parcel of land (001-16913-000) that is approximately 18.4 acres in size. The area the automotive sales operation will utilize is approximately 0.97 acres in size.

The applicant, Joshua Duggar, states that the dealership will have two employees; himself and another person. There is capacity for approximately 50 vehicles on the lot. The office is already on the property and is approximately 64 square feet in size. There is room for up to five cars and one handicapped parking spot nearby. The operating hours are Monday through Saturday from 10:00am to 6:00pm.

Planning Staff feels that this proposal is the County's Land Use Plan of what a Light Commercial development would be. It continues with the primary goal of retaining the natural characteristics of the County.

To the north of the proposed automotive sales lot is a large poultry house that is not a part of the Conditional Use Permit. This poultry house and existing vegetation along Wildcat Creek WC 851 will ensure adequate buffers between this light commercial use and the residential use across the street. This buffer will ensure that the neighbors will not suffer harm visually.

Due to the small nature of the proposal, the amount of traffic generated will not be burdensome to the other neighbors whom also use the road.

A total of six notices were mailed to surrounding property owners within 300 feet of the applicant's project parcels. One notification was received in favor of the project.

This project was not contentious. There was no public discussion.

The Planning Board/Zoning Board of Adjustments approved Wholesale Motorcars CUP request on November 1, 2018 (6 members voted “in favor”, 0 members voted “against”, 1 member was absent) with the following conditions:

Water/Plumbing/Fire Issues:

Washington Water Authority had the following comments:

1. No water service is currently provided for the SW portion of Parcel 001-16913-000. If future operation of the CUP requires water service, please submit a request for water service to the WWA Office (forms are available at washingtonwater.org).

The Washington County Fire Marshal had the following concerns/comments:

1. Clearly show the address of the business on the office building and at property entrance.
2. Place smoke detector in office.
3. Place Fire Lane/No parking signs on gravel drive every 100 feet.
4. Must obtain Engineered Compaction statement 75,000 lbs on gravel drive.
5. All turns must have a 38 foot turning radius.
6. Minimum 20 foot driveway.
7. Should you add anymore buildings or increase the size of the office you shall have prior approval from County Fire Marshal.

8. Should you change up the parking area for the vehicles and driveway you must have prior approval from the County Fire Marshal.

Health Department Conditions:

1. Should a future septic system be needed, the system must be designed by a Direct Representative of the Arkansas Department of Health and be approved by the Department of Health.

Roads/Sight Visibility/Ingress-Egress/Parking Conditions:

1. Any work done in the County right-of-way will require a permit from the Washington County Road Department prior to construction.

Drainage Conditions:

1. All drainage requirements and concerns must be addressed before final approval may be received.

Environmental Conditions:

1. No stormwater permit is required by Washington County at this time; however, applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality. www.adeq.state.ar.us

Signage/Lighting/Screening Conditions:

1. No signage is allowed within Washington County's road right-of-way (ROW).
2. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately.
3. A sketch of the proposed sign must be submitted to Washington County Planning for approval prior to the sign being placed.
4. No additional signage is allowed to be placed.
5. All outdoor lighting must be shielded from neighboring properties, and any lighting must be indirect and not cause disturbance to drivers or neighbors. Additionally all security lighting must be shielded appropriately.
6. All outdoor storage and dumpster must be screened with opaque material (gates must be opaque too).

Addressing Conditions:

1. The applicant must apply for 911 addresses to be assigned if needed.

Utility Conditions:

Ozarks Electric:

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions. Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com

5. Keep in mind that Ozarks has overhead lines in the area. With existing 30ft. U.E.

Washington Water Authority:

1. No water service is currently provided for the SW portion of Parcel 001-16913-000. If future operation of the CUP requires water service, please submit a request for water service to the WWA Office (forms are available at washingtonwater.org).

Additional and Standard Conditions:

1. Pay neighbor notification mailing fees within 30 days of project approval. Any extension must be approved by the Planning Office (fees will be calculated once the info is available from the post office).
2. Pay engineering any fees. This total will be calculated for this project once all invoices are received.
3. Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.
4. **This CUP must be ratified by the Quorum Court.**
5. **This project may require a Large Scale Development. Until determined, no work may begin for this project until Preliminary Large Scale Development has been decided and/or approved by the Planning Board.**
6. **It is the applicant's responsibility to contact the Planning Office when inspections are needed.**
7. All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.

ORDINANCE NO. 2018-49

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

FILED
2018 NOV 20 PM 3:24
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR.

AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD.

WHEREAS, the Planning and Zoning Board granted a Conditional Use Permit on November 1, 2018 for the Shadow Elm Meadery; and,

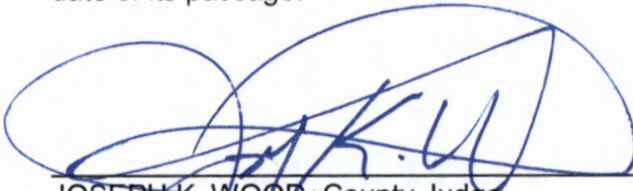
WHEREAS, immediate ratification is necessary by the Quorum Court to prevent undue delay and expense to the applicant; and,

WHEREAS, ratification will not affect any appeal rights any person may have.

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

ARTICLE 1. That the Conditional Use Permit for the Shadow Elm Meadery granted by the Planning and Zoning Board is hereby ratified.

ARTICLE 2. Emergency Clause: It is hereby determined that it is in the best interest of the applicant and the public for this ordinance to be effective immediately; therefore, an emergency is declared to exist and this ordinance shall be and is effective on the date of its passage.



JOSEPH K. WOOD, County Judge

11.20.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Butch Pond
Date of Passage: November 15, 2018
Votes For: 13 Votes Against: 0
Abstention: 0 Absent: 2

Shadow Elm Meadery CUP

The Planning Board/Zoning Board of Adjustments unanimously approved Shadow Elm Meadery Conditional Use Permit (with conditions) on November 1, 2018.

Staff does not expect any appeals on this CUP and recommends ratification of the project.

County

a. Shadow Elm Meadery CUP

Conditional Use Permit Approval Request

Location: Section 13, Township 18, Range 29

Owner: Thomas Wade January Jr.

Applicant: Wade January

Location Address: 18674 Eagle Bend Road

Approximately: +/- 1.71 acres /1 lot

Proposed Land Use: Commercial

Coordinates: Latitude: 36.22535962, Longitude: -94.01349871

Project #: 2018-311 Planner: Nathan Crouch email: ncrouch@co.washington.ar.us

The owner/applicant of this property is Wade January. This property is located on the War Eagle peninsula, off Eagle Bend Rd., WC-561. This CUP request is to allow the January family to produce Mead in the small accessory building on their 1.71 acre property. Mead is an alcoholic beverage similar to wine but made from honey. ABC permitting approval will be a condition of approval.

The Shadow Elm Meadery will utilize this property for production only No tasting room or walk-in business is proposed.

There is an existing septic system which the applicant plans to utilize once it is approved by the Health Department.

All neighbors within 300 feet of the boundary of this property were notified by certified mail of this Conditional Use Permit request. One neutral public comment was received via telephone. The concerns were alleviated with further conversation.

Staff recommended approval of the proposed Shadow Elm Meadery Conditional Use Permit with conditions.

The Planning Board/ Zoning Board of Adjustments approved (6 members voted “in favor”, 0 members voted “against”, 1 member was not present) the project with the following conditions:

Fire Conditions:

1. Final inspection is required by the Washington County Fire Marshal before commercial production begins.
2. The applicant is responsible for notifying the Washington County Fire Marshal when inspections are needed.

Septic Conditions:

1. The commercial septic system must be inspected and approved by the Arkansas Health Department (ADH) prior to commercial operation beginning.
2. No parking is allowed on any portion of the septic system including the alternate area. (No overflow parking either).

Roads/Ingress-Egress/Parking Conditions:

1. All entrance drives and parking areas must support 75,000lbs in all weather conditions.
2. Any work to be completed in the County Road Right-of-Way requires a permit from the Road Department prior to beginning work. Any tile that may be needed must be sized by the Road Department. The Road Department may be reached at (479) 444-1610.

Environmental Conditions:

1. *At this time, no stormwater permit is required by Washington County; however, the applicant must comply with all rules and regulations of the Arkansas Department of Environmental Quality (ADEQ).*

Utility Conditions:

Ozarks Electric

1. Any damage or relocation of existing facilities will be at owner's expense.
2. Any power line extension that has to be built to this property will be at the owner's expense. The cost will be determined after the owner makes application for electric service and the line has been designed.
3. All off site easements that are needed for Ozarks to extend electrical service to the property must be obtained by developer and easement documentation provided to Ozarks before work begins. On site easements must be shown on plat and recorded with the county.
4. Please contact Ozarks Electric if you have any questions.
Wes Mahaffey At (479)263-2167 Or wmahaffey@ozarksecc.com

Signage/Lighting Conditions:

1. *No signage has been requested or approved.*
2. *If the applicant desires a sign in the future, a sketch must be submitted for review & approval by the Planning Department.*
3. *Signage cannot be placed in the County Right-of-Way.*
4. *Any outdoor lighting must be shielded from neighboring properties. Any lighting must be indirect and not cause disturbance to drivers or neighbors. All security lighting must be shielded appropriately. Please refer to the diagram in the staff report attachments.*

Alcoholic Beverage Control Conditions:

1. *ABC permit must be approved.*
2. *Installation of a business phone.*
3. *Re-inspection by the ABC Enforcement Division within six (6) months of the letter dated July 12, 2018.*

Standard Conditions:

1. *Pay neighbor notification mailing fees (\$42.80) within 30 days of project approval. Any extension must be approved by the Planning Office (invoice was emailed to applicant on 10/24/18).*
2. *Any further splitting or land development not considered with this approval must be reviewed by the Washington County Planning Board/Zoning Board of Adjustments.*
3. *This CUP must be ratified by the Quorum Court.*
4. *It is the applicant's responsibility to contact the Planning Office when inspections are needed.*
5. *All conditions shall be adhered to and completed in the appropriate time period set out by ordinance.*
 - o *This project requires additional review (Subdivision or Large Scale Development), and therefore, the applicant must submit for Preliminary project review within 12 months of this CUP project's ratification.*
 - o *This project does not require additional review. Therefore, all conditions of this CUP approval must be completed within 18 months of this CUP project's ratification.*

* County Ordinance allows for an appeal period (for any party: applicant, neighbor, member of the public, etc) within 30 days of the Planning Board/ZBA approval. Even if the Quorum Court ratifies the CUP; the right of appeal remains until the 30 days has passed. If an appeal is filed within the 30 day period then a subsequent hearing will be scheduled and held by the Quorum Court.*

ORDINANCE NO. 2018-50

2018 NOV 20 PM 3:24
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

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

AN ORDINANCE REPEALING ALL
PREVIOUS VERSIONS OF THE
WASHINGTON COUNTY EMPLOYEE
HANDBOOK; AND APPROVING THE
WASHINGTON COUNTY EMPLOYEE
HANDBOOK 11-2018.

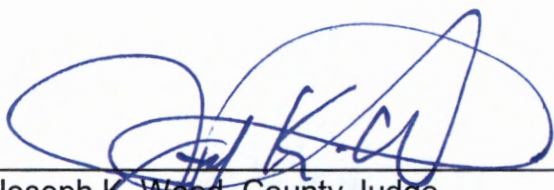
WHEREAS, the Quorum Court has reviewed and revised
the Washington County Employee Handbook; and,

WHEREAS, the Quorum Court desires to replace all
previous versions of the employee handbook with the Washington County Employee
Handbook 11-2018.

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

ARTICLE 1. All versions of and amendments to the
Washington County Employee Handbook prior to this date are hereby repealed.


ARTICLE 2. There is hereby adopted the
Washington County Employee Handbook 11-2018.



Joseph K. Wood, County Judge

11.20.2018

Date



BECKY LEWALLEN, County Clerk

Sponsor: Lisa Ecke
Date of Passage: November 15, 2018
Votes For: 12 Votes Against: 0
Abstention: 1 Absent: 2

Washington County Employee Handbook 11-2018

Contents

Welcome to Washington County!	4
Our Mission Statement	4
Understanding Our Structure.....	4
The County Judge	5
The Quorum Court	5
Elected Officials and Elections	5
Introduction	6
1. General Policy Provisions: Equal Employment Opportunity	6
2. Recruitment, Selection, and Hiring Procedures.....	9
3. Recruitment	9
4. Selection.....	12
5. Hiring.....	12
6. Background Checks	13
7. Nepotism.....	14
8. Political Activity.....	15
9. Drug-free Workplace Act	16
10. Employee Speech Policy.....	17
11. Genetic Information and nondiscrimination policy	19
12. Immigration Reform and Control Acts.....	20
13. Social Media	20
14. Freedom of Information Act Policy	20
15. Harassment Policy.....	20
16. Reinstatement.....	22
17. Mandatory Retirement Age	22
18. Rest Periods.....	23
19. Inclement Weather	23
Compensation and Salary Administration	24
1. Fair Labor Standards Act	24

- 2. Program of Salary Administration 25
- 3. Salary Adjustments 25
- 4. Salary Administration Budgets and Reports 31
- 5. Guidelines for Salary Range Management 31
- 6. Administration of Job Evaluation Program 34
- 7. Standard Work Week 39
- 8. Overtime Compensation 39
- 9. Payday and Salary Checks 41
- Benefits and Approved Leave 43
 - 1. Leave Benefits 43
 - 2. Absence without Authorized Leave 43
 - 3. Administrative Leave 43
 - 4. Military Leave 43
 - 5. Catastrophic Leave Bank 45
 - 6. Bereavement Leave 49
 - 7. Education or Training Leave 50
 - 8. Jury Duty and Witness Pay 50
 - 9. Unpaid Leave 50
 - 10. Family and Medical Leave Policy 50
 - 11. Fringe Benefits 54
 - 12. Vacation 54
 - 13. Sick Leave 56
 - 14. Arkansas Public Employees Retirement System (APERS) 57
 - 15. Holidays and Holiday Pay 58
 - 16. Medical Insurance 59
 - 17. Continuation Coverage (COBRA) 59
 - 18. Personnel Records 65
 - 19. Workers' Compensation 66
- Employee Discipline, Termination, and Grievance Procedures 68
 - 1. Disciplinary Action 68
 - 2. Termination 68

3. Hearing Rights	68
4. Grievance Procedures	73
5. Employees Grievance Hearing	74
6. Employee Grievance Form	80
7. Procedure for Evidence.....	81
8. Grievance Hearing Guidelines for Personnel Committee.....	82
Workplace Policies	84
1. Sound-off-system (S-O-S).....	84
2. Sound-off-system form	85
3. General Safety Rules	87
4. Tobacco Use Policy.....	89
5. Public Safety Employee Drug and Alcohol Testing	89
6. Other Employees Drug and Alcohol Testing	91

Welcome to Washington County

We believe that every employee helps make Washington County successful. We hope that you will be proud to be a member of our team.

This handbook describes many of our policies. The handbook also outlines many of the programs and benefits available to eligible employees.

The handbook will answer many questions you may have about your employment at Washington County. We suggest that you become familiar with the handbook as soon as possible.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome.

OUR MISSION STATEMENT

To provide a quality public service to all citizens and employees of Washington County.

UNDERSTANDING OUR STRUCTURE

If you haven't worked for a government entity before, it is important that you have some information about how it works. Elected officials are responsible for their area of government. Each elected official may adopt additional policies and procedures, provided they do not conflict with the County policies stated in this document or the U.S. and Arkansas constitutions. In addition, these policies must be in accord with all applicable laws, statutes or judicial rulings.

The following are Elected Officials:

Assessor	County Judge	Circuit Clerk
Collector	Coroner	County Clerk
Prosecuting Attorney	Sheriff	Treasurer

THE COUNTY JUDGE

The Washington County Judge is the chief executive officer for the county government. The Judge:

- Authorizes and approves the disbursement of all appropriated county funds
- Operates the system of county roads
- Administers ordinances enacted by the quorum court
- Has custody of county property
- Accepts grants from federal, state, public, and private sources
- Hires county employees except those employed by other elected officials of the county
- Presides over the quorum court without a vote, but with the power of veto

THE QUORUM COURT

Washington County is comprised of 15 districts. Each district elects a Justice of the Peace to the Quorum Court.

The Quorum Court is the legislative body of the County. They exercise local legislative authority to levy taxes, appropriate public funds for the expenses of the County in a manner prescribed by ordinance. They can fix the number and compensation of deputies, county employees and county officials within a minimum and maximum to be determined by law.

Our websites may help you better understand the roles and responsibilities of the various areas of government. The Washington County Website is <https://www.co.washington.ar.us>.

ELECTED OFFICIALS AND ELECTIONS

Washington County is an at-will employer. When working for an elected official, it is important to remember that when elections occur there is always the possibility that you may get a new boss. **Newly elected officials have the authority to bring in new staff.** Elections occur every four years on even numbered years.

If your job is not going to be renewed you will be notified by the newly elected official by December 31st of the even-numbered years.

(Rev. September 24, 2018)

Introduction

The Employee Handbook is designed to inform Washington County employees of the County's operating policies and practices as they apply to all County employees. Additional policies and practices may be adopted by the individual elected officials, provided that they do not conflict with the policies contained herein. County employees are defined as those deputies and others employed by and serving at the pleasure of the elected officials. Each County employee is responsible to the elected official who hires and/or appoints that employee.

For additional information, employees should ask their supervisor, the elected official under whom they serve, or the Human Resource Department.

(Rev. April 14, 1988)

1. GENERAL POLICY PROVISIONS: EQUAL EMPLOYMENT OPPORTUNITY

A. Purpose

The purpose of this document is to familiarize the employee with the County's employee policies. Nothing herein creates a property right in employment nor establishes grounds upon which discipline or dismissal must be based.

B. General County Policy

1. The County is to treat all employees and citizens in a manner that is: i) rationally related to the effectuation of legitimate County objectives and ii) uniformly applied to all persons similarly situated.
2. No official or employee of the county is to abuse or misuse his or her governmental power.
3. No official or employee is to engage in any overt act that is either illegal (contrary to applicable statutes or judicial rulings) or unconstitutional (contrary to the U.S. Constitution or the Arkansas Constitution).
4. No official or employee is to omit the performance of any duty that is affirmatively required by applicable laws (statutes or judicial rulings).
5. No official of county government shall "be interested, either directly or indirectly, in any contract or transaction made, authorized, or entered into on behalf of the county...or accept or receive any property, money, or other valuable thing, for his (or her) use or benefit on account of, connected with, or

growing out of any contract or transaction of a county,” except as provided by ordinance pursuant to Ark. Code Ann §14-14-1202.

6. No official of county government is to engage in any act that would constitute “corruption, gross immorality, criminal conduct, malfeasance, misfeasance, or nonfeasance in office.” Ark. Code Ann. §14-14-1311.
7. Each elected official of the County is to fully and completely administer the day-to-day affairs of his or her office of County government on behalf of the County, in a manner that is in accord with applicable laws (statutes or judicial rulings), the constitutions (U.S. and Arkansas), and this general County policy.

C. County Employment Policy

1. All County employees are “at will” employees. County employment is not for a specific period of time and may be terminated at any time without notice or liability of any kind (except for wages earned and unpaid) and with or without cause. Unless rehired by a newly elected supervising county official, an employee’s employment shall cease at the quadrennial (December 31st of every four years, beginning with December 31, 2022). If, notwithstanding this document, any employee contends that he or she has a property right in his or her employment or a substantial expectancy of continued employment (express, implied, written, or oral) until “just cause” exists for reduction or removal in pay or position, then that employee shall assert such contention at a “property right” grievance hearing requested in the time and manner set forth in this policy.
2. It is the County’s policy to provide equal opportunity for all qualified persons; to prohibit unlawful discrimination in employment practices, personnel procedures, and administration of benefit plans; and to otherwise provide the same or similar treatment and opportunities to all persons similarly situated.

D. Rational Basis for Removal of Pay or Position

1. A County Official may reduce or remove pay or position for any reason that is rationally related to the effectuation of any conceivable legitimate County objective.
2. Examples: It is not possible to list all “rational bases” for reduction or removal of pay or position; however, examples include (without limitation):
 - a. Misrepresentation, dishonesty, or self-dealing conduct;
 - b. Intemperate conduct;

- c. Insubordination, including the failure or refusal to follow the legal orders of your supervisor or other supervisors;
- d. Negligent, reckless, knowing, or intentional destruction of County property;
- e. Abuse or misuse of your position as a County employee;
- f. Any conduct, acts, or omissions that interfere with or impair your ability to properly and effectively perform your duties as a County employee;
- g. Any rational change in the mode or manner of operations, including any rational decision regarding the persons selected by the County Official for the delivery of County services.

E. Constitutionally Protected Conduct

- 1. It is the policy of this county not to violate the Constitution or the laws of Arkansas or the United States.
- 2. Should any applicant, employee, or person requesting County assistance or services contend that he or she has been unlawfully discriminated against because of the race, color, religion, gender, national origin, age, or disability or that he or she has been unlawfully punished for the exercise of a constitutionally protected liberty right (e.g., free speech, free association, political patronage, access to courts, privacy, etc.) or treated in any other unlawful or unconstitutional manner, the applicant or employee shall request, in the time and manner set forth in this county employment policy, a ‘liberty right’ hearing before the county grievance committee to provide the county’s final policymaker with authority and opportunity to learn of the alleged unlawful discrimination or unlawful punishment and to thereby have an opportunity to voluntarily conform the conduct of county officials and county employees to the requirements of county policy.

F. Hiring and Promoting

- 1. The at-will employment policy applies equally to hiring and promoting. Nothing herein shall create a property right in employment, entitlement to be hired or promoted, or an expectancy of continued employment. Nothing herein establishes grounds upon which hiring or promoting must be based.

2. Prospective employees who are required to register with the selective service system must certify compliance with the Military Selective Service Act as a condition of employment.

G. Employee Benefits

Eligibility for vacation leave or other employee benefits does not create any property right in employment or any expectancy of continued employment.

(Rev. April 13, 2000)

2. RECRUITMENT, SELECTION, AND HIRING PROCEDURES

- A. The Human Resources' Office will be notified of the elected official's intent to hire by means of a "Notice of Job Opening." This form must contain the necessary information to identify the position to be filled, provide the rate of pay, and be authorized by the responsible official.
- B. When the personnel request has been received, the Human Resources' Office will:
 1. Verify the availability of the position and funds; and
 2. Verify compliance with the Washington County Job Evaluation and Salary Administration Program.
- C. If the request is in conformance with County policy establishing an open position, the Human Resources' Office shall use the following practices for recruiting applicants for the selection and hiring of Washington County employees. (Rev. April 14, 1994)

3. RECRUITMENT

A. Intra-department

1. An elected official is encouraged to fill open positions by promotion or transfer, where possible. Positions filled by Intra-departmental personnel do not require any advertising or listing with the Employment Security Department.
2. The Human Resources' Office will be notified of the position by means of a "Notice of Job Opening." This form must contain all identifying information and method of recruitment should indicate promotion or transfer.

3. An employee promoted into a position with a higher grade may receive an increase up to the amount specified in the Program of Salary Administration without the Personnel Committee Approval.
4. Persons being transferred or promoted into a new position will be paid for any compensatory time earned and will transfer any sick leave or vacation time accrued.

B. Inter-Department

1. A position that is to be filled by recruitment from other County departments will remain open a minimum of three (3) working days.
2. County-only positions will be advertised by bulletin board posting. Applications are obtained from and returned to the Human Resources' Office.
3. An employee promoted into a position with a higher grade may receive an increase up to the amount specified in the Program of Salary Administration without the Personnel Committee approval.
4. Persons being transferred or promoted into a new position will be paid for any compensatory time earned and will transfer any sick leave or vacation time accrued.

C. Open

1. All County positions must remain open for a minimum of five (5) working days before hiring and may remain open longer if unfilled at the request of the hiring official. No person may be hired until the position is closed. (See 2 below.) In an emergency, an employee can be hired on a temporary basis, with the understanding that the position must remain open the full waiting period, be advertised, and the most qualified applicant will be hired.

Note: Persons hired on an emergency basis are limited to 20 days employment and are not eligible for rehire until they have been separated from County employment for 60 days.

2. An open position will close at 11:59 p.m. on the last day it is advertised and may not be filled until the following day. In person applications will not be accepted after close of business on the final day of the listing, but applicants will be able to submit applications online through the position close time.

3. All County positions will be listed with the Arkansas Employment Security Department and posted on the web page.
4. Applications remain active for three months and must be retained for one year.
5. All County positions will be advertised in the public media and may be advertised in any other manner deemed necessary by the elected official or dictated by recruitment areas.
6. The Human Resources' Office will also notify any minority agency or school placement office as requested, and will publish a list for bulletin board posting.

D. Retirees

1. An elected official may fill open positions by hiring an individual, who has been retired for at least one hundred and eighty (180) days and is drawing a monthly annuity from Arkansas Public Employee's Retirement System (APERS). Positions filled by qualified retirees do not require any advertising or listing with the Employment Security Department. (Refer to Act 154 of 2001).

Note:

- a. Retirees are usually highly qualified and dependable workers, thus saving the county the cost of training.
- b. The county is not required nor allowed to make retirement contributions to APERS for employees receiving retirement benefits from APERS, for a cost savings.
- c. If a retiree is hired, he or she will receive all other benefits accorded other County employees and when said retiree retires again he or she will be afforded all the rights and benefits to which all retirees are entitled.

(Rev. Sept. 24, 2018)

(Rev. April 13, 2000)

(Rev. May 9, 2002)

(Rev. April 13, 2006)

(Rev. Feb 8, 2007)

(Rev. Aug. 10, 2012)

4. SELECTION

- A. All qualifications required for hiring must be “bona fide occupational qualifications.” (Do not require that applicants possess qualifications beyond those actually required for the performance of the job.)
- B. All applicants for the same position must be asked the same interview questions and the questions must be work related. During the pre-offer stage, an applicant may not be asked if they have a particular disability, disabling condition, or asked about the severity of a disability. An applicant also cannot be asked about their workers’ compensation history.
- C. If an elected official or department head chooses to screen applicants before interviewing, 10% of the applicants or a minimum of three must be interviewed before a job offer is made.
- D. No job offer may be made before all applications have been reviewed and the position has been open for five working days.
- E. A record why applicants interviewed were rejected will be maintained and submitted to applicants upon request.
- F. When the elected official or department head makes a job offer which is accepted, the Human Resources’ Office must be notified immediately so that the position can be closed and no further applications accepted.

(Rev. December 10, 1998)

(Rev. April 13, 2000)

5. HIRING

- A. New employee data should be submitted to the Human Resources’ Office immediately. An employee cannot receive a paycheck unless all paperwork is received the Human Resources’ Office no later than the Wednesday preceding the day time cards are due.
- B. When the hiring official has made the job offer and it has been accepted, the hiring official should call the Human Resources’ Office to schedule the newly hired employee for orientation and to insure that all employees are equally informed concerning the benefits and policies of Washington County employment.
- C. The Immigration Reform and Control Act of 1986 require that persons hired after May 31, 1987 complete a Form I-9 within three business days of the date of hire. (If a person

is employed for less than three (3) days the Form I-9 must be completed before the end of the employee's first working day.)

(Rev. December 10, 1998)
(Rev. April 13, 2000)

6. BACKGROUND CHECKS

- A. All offers of employment at Washington County are contingent upon clear results of a thorough background check. Background checks will be conducted on all newly hired staff members and on all employees who are promoted, as deemed necessary.

Background checks may include:

1. Social Security validates the applicant's social security number, date of birth and former addresses.
2. Prior Employment Verification confirms applicant's employment with the provided companies, including dates of employment, position held and additional information available pertaining to salary/wages, performance rating, reason for departure and eligibility for rehire. This will be verified for any employers within the last 10 years.
3. **Multi-State Criminal will be run on states that applicants have listed on the release form. This will include states of past residence for a period of up to five years.
4. **Federal Criminal History checks district courts for any crimes committed in violation of federal law in district of current residence.
5. Personal and Professional References: Calls will be placed to individuals listed as references by an applicant.
6. Educational Verification confirms the applicant's claimed educational institution, including the years attended and the degree/diploma received.

The following additional searches will be required if applicable to the position:

1. Motor Vehicle provides a report on an individual's driving history in the state requested. This search will be run when driving is an essential requirement of the position.

2. Credit History confirms candidate's credit history. This search will be run for positions that involve management of County funds and/or handling of cash.

B. Procedure

After a verbal employment or promotion offer is made, the chosen candidate must complete the Pre-Employment Certification/Release form and return it to the Human Resources Department. Human Resources will notify the hiring manager upon receipt of the signed release. The chosen candidate is not to begin work prior to the hiring manager receiving approval from Human Resources.

Human Resources will order the background check upon receipt of the signed release form, and an employment screening service will conduct the check. A designated Human Resources representative will review all results.

The Human Resources representative will notify the hiring manager regarding the results of the check. In instances where negative or incomplete information is obtained, the appropriate management and the Director of Human Resources will assess the potential risks and liabilities related to the job's requirements and determine whether the individual should be hired. If a decision not to hire or promote a candidate is made based on the results of a background check, there may be certain additional Fair Credit Reporting Act (FCRA) requirements. The Human Resources representative will be responsible for handling such FCRA requirements as necessary. Washington County will follow all applicable FCRA requirements throughout the background check process. Any questions regarding FCRA must be directed to the Director of Human Resources. Background check information will be maintained in a file separate from employees' personnel files.

7. NEPOTISM

- A. An elected official shall not hire or appoint for employment any person who is related by blood or marriage to the third degree. An elected official shall not hire or appoint for employment any person in the immediate family of any person in the same department or office if either one will have direction or supervision of the other. Where a potential nepotism situation does occur, due to electoral or unforeseen reasons, the Elected Official would have the discretion to seek a timely accommodation through the Job Evaluation Committee.
- B. "Immediate family" shall be defined as spouse, child, parent, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, grandparent, and grandchild.

- C. "Persons related by blood or marriage to the third degree" shall include members of the immediate family plus first cousins, aunts, uncles, nieces, and nephews.

8. POLITICAL ACTIVITY

- A. No County employee shall participate in partisan politics during normal County working hours. "It shall be unlawful for any public officer, deputy or assistant to devote any time or labor during office hours toward the campaign of any other candidate for office for the nomination to any office." A.C.A. §7-1-103(a)(2)(i)
- B. Use of County property or facilities (cars, computer, Internet, electronic mail, stationery, telephones, offices, etc.) for campaigning is prohibited.
- C. "It shall be unlawful for any public servant, as defined in A.C.A. §21-8-402(17), to use any office or room furnished at public expense to distribute any letters, circulars, or other campaign materials, unless such office or room is regularly used by members of the public for such purposes without regard to political affiliation. It shall further be unlawful for any public servant to use for campaign purposes any item of personal property provided with public funds." A.C.A. §7-1-103(a)(3)
- D. "It shall be unlawful for any campaign banners, cards or campaign literature to be placed on any cars, trucks, or tractors belonging to the State of Arkansas or any municipality or County in the State." A.C.A. §7-1-103(a)(6)
- E. "It shall be unlawful for any person to assess any County employee for any political purpose whatever, or to coerce by threats or otherwise any such employee into making subscriptions or contributions for such purpose." A.C.A. §7-1-103(a)(2)(C)
- F. Any employee who becomes a candidate for election to a county, judicial district, state or national office may take his or her accrued vacation leave or be granted a leave of absence without pay during the time he or she campaigns.
- G. County meeting rooms may be used on an equal basis by all political parties with permission of the County Judge.

(Rev. April 13, 2000)

(Rev. June 14, 2001)

9. DRUG-FREE WORKPLACE ACT

A. Drug abuse and alcohol use at the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs and alcohol may impair the well-being of all employees, the public at large, and result in damage to county property. Therefore, it is the policy of Washington County that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in a county agency's workplace is prohibited. Any employee violating this policy will be subject to discipline up to and including termination. The specifics of this policy are as follows:

1. County agencies will not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on agency premises will be subject to discipline up to and including termination.
2. The term "controlled substance" means any drug listed in 21 U.S.C. §812 and Federal regulations. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, and "crack". They also include "legal drugs" which are not prescribed by a licensed physician or not taken in accordance with prescription.
3. Each employee is required by law to inform the agency within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the agency's premises. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal court, state court, or other court of competent jurisdiction.
4. Washington County must notify all U.S. government agencies with which it has a grant or contract within ten (10) days after receiving notice from the employee or other notice of such a conviction.
5. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to discipline up to and including termination. Alternatively, the agency may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution.
6. As a condition of further employment on any Federal government contract, the law requires all employees to abide by this policy.

Note: At Washington County, sections 3 and 4 of the Drug Free Workplace Policy will be carried out by requiring the convicted employee to inform his or her department head or Elected Official or other appropriate supervisor of the conviction immediately and having that appropriate supervisor report the conviction immediately to the County Judge. The County Judge will then notify the government agency within the required ten (10) day period, to the U.S. agency with whom the federal contract in question is held.

(Adopted October 11, 1990)

10.EMPLOYEE SPEECH POLICY

Note: Washington County has a policy addressing use of county owned computers, Internet use and electronic mail. If you have access to county owned computers, you will receive a copy.

A. General Statement Regarding Employee Speech Right and Obligations:

County employees have constitutional protection to engage in free speech activity, including work related criticism and complaints. This employee speech policy is designed to promote protected speech while providing guidelines to ensure that employee speech does not unnecessarily harm legitimate county interests. Employees are encouraged to express their views in a responsible and productive manner.

B. Speech unprotected as a matter of law:

Employees enjoy the same speech rights as other citizens except for restrictions imposed by law. Employees are subject to employment termination for speech constituting treason, libel, slander, perjury, incitement to riot, or false statements regarding county operations or personnel which such speech is known to be factually inaccurate or is made with a reckless disregard for its truth or falsity.

C. Protection of confidential information:

Employees shall not disclose or divulge any “confidential” information obtained by virtue of their employment to persons not specifically authorized to receive such information. “Confidential” information includes information not subject to release by the state’s freedom of information laws. Uncertainty over whether particular information is “confidential” should be resolved by consultation with the County Attorney.

D. Whistleblower protection and procedures:

Employees are required to report immediately any evidence of a county official's wrongdoing to the appropriate Elected Official or the County Prosecuting Attorney. Officials and employees are required to report immediately any evidence of an employee's wrongdoing to the appropriate Elected Official or County Prosecuting Attorney. Employees are subject to employment termination for any activity that interferes with or hinders the successful prosecution of criminal misconduct. Employees are protected from retaliatory disciplinary action for reporting under this rule.

E. Impartiality requirement:

Officials and employees shall not recommend or suggest in any manner, except in the transaction of personal business the employment or procurement of a particular product, a professional service, or a commercial service including but not limited to the services of an attorney, bondsmen, funeral director, ambulance service or towing service. Officials and employees are prohibited while on duty or in uniform from making political endorsements or expressions of favoritism toward a particular political issue or candidate. Officials and employees are prohibited from using their official capacity to influence or interfere with the results of any political election.

F. Public appearances representing the department:

Employees must receive the prior permission of the appropriate Elected Official before making any public appearance officially representing the County or a County office or one that gives the impression they are officially representing the County or a County office. Employees in county uniform, whether on or off duty, shall not make speeches or presentations to any civic club, religious gathering, private or public organization, or other organized gathering without the prior approval of the appropriate Elected Official. The off-duty expression of personal views by employees in their capacity as private citizens is not covered by this rule.

G. On duty speech restrictions:

Employees on duty or in uniform shall restrain from using indecent or profane language. Employees shall be courteous to citizens, maintain command of their temper, and refrain from coarse, boisterous, or insolent language. Upon request, employees must provide citizens their name and any badge number. Employees shall treat superiors, subordinates, and associates in a respectful manner. Employees shall practice professional courtesy and refrain from making personal attacks that ridicule, belittle, or defame the county or county personnel.

No employee shall use epithets or terms that tend to denigrate a particular race, color, religion, sex, age, national origin, political affiliation, veteran's status, or disability.

H. Public criticism:

Public criticism of County operations or personnel can undermine the public's confidence of County government. Employees are encouraged to express any work-related criticism to their immediate supervisor and the appropriate Elected Official. Constructive criticism is encouraged. Employees will not be disciplined for responsibly expressing their criticism to their immediate supervisor or the appropriate Elected Official, or, thereafter, responsibly expressing their criticism publicly.

I. Contact with the news media:

All inquiries by the public or the news media concerning information under the control of a County department (e.g. computerized information of the status of either a closed or pending investigation) shall be referred to the appropriate Elected Official in charge of that office or County government.

J. Appropriate Elected Official:

The "appropriate elected official", as used in this policy, shall mean:

1. For employees, the elected official responsible for managing the day-to-day affairs of the office of county government in which particular employee is employed
2. For officials, the County Prosecuting Attorney. Employees are not prohibited from any direct contact with the County Prosecuting Attorney at any time.

(Rev. April 13, 2000)

11. GENETIC INFORMATION AND NONDISCRIMINATION POLICY

- A. The County complies with the Genetic Information Nondiscrimination Act (GINA) and the Genetic Information in the Workplace Act (GIWA). GINA and GIWA prohibit employers and other entities covered by these laws from requesting or requiring the disclosure of genetic information of an employee or family member of an employee, except as specifically allowed by these laws. To comply with these laws. Employees should not, directly or indirectly, disclose any "genetic information" to the County at any time. "Genetic information" includes an employee's family medical history, the results of an employee's or family member's genetic tests, the fact that an employee or an employee's family member sought or received genetic services, and genetic information

of a fetus carried by an employee or family member or an embryo lawfully held by an employee or family member receiving assisted-reproductive services.

12. IMMIGRATION REFORM AND CONTROL ACTS

- A. The County complies with the Immigration Reform and Control Acts of 1986 and 1990. Every newly-hired County employee shall complete an I-9 Form before commencing employment.

13. SOCIAL MEDIA

- A. Social media includes all means of communicating or posting information or content of any sort on the Internet. The same principles and guidelines applicable to County employee conduct also apply to County employees' activities online. Any conduct that adversely affects an employee's job performance, the performance of fellow employees, or otherwise adversely affects the interests of the County may result in disciplinary action up to and including termination. This policy applies to comments made under the employee's name or under a pseudonym used by the employee as a username. Harassment and cyber-bullying of any County employee will result in termination. Racist or sexist comments or comments that target the religious beliefs of others will result in termination. County employees should refrain from posts, "likes", or other social media activity during work hours and on County-owned equipment, unless authorized to do so by a supervisor or consistent with County policy. State law prohibits electioneering by public servants during work hours. Employees should consider any political activity to be electioneering ; employees should follow the County's Political Activity Policy with all online posts.

14. FREEDOM OF INFORMATION ACT POLICY

- A. Washington County complies with the Arkansas Freedom of Information Act (FOIA). Upon receiving a FOIA request, a County employee shall immediately notify his or her supervisor of the FOIA request. Any County official receiving notice of a FOIA request shall take steps to ensure timely compliance (varying from immediately up to 72 hours) with the FOIA request.

15. HARASSMENT POLICY

- A. Washington County is committed to providing a work environment free of unlawful harassment. The County maintains a strict policy prohibiting sexual harassment, harassment because of race, gender, religious creed, color, national origin, ancestry, handicap, medical condition, marital status, age, or any other basis protected by federal,

state, or local law or ordinance or regulation. All such harassment is unlawful. Washington County's anti-harassment policy applies to all persons involved in the operations of the County and prohibits unlawful harassment by any employee of Washington County including supervisors and co-workers. Unlawful harassment in any form, including verbal, physical, and visual conduct, threats, demands, and retaliation is prohibited. Unlawful harassment because of sex, race, ancestry, handicap, medical condition, marital status, age, or any other protected basis includes, but is not limited to:

1. Verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations, or comments.
 2. Visual conduct such as derogatory posters, photography, cartoons, drawings, or gestures;
 3. Physical conduct such as assault, unwanted touching, blocking normal movement, or interfering with work directed at you because of your sex or race or any other protected basis;
 4. Threats and demands to submit to sexual requests in order to keep your job or avoid some other loss, and offers of job benefits in return for sexual favor; or
 5. Retaliation for having reported or threatened to report harassment.
- B. You may have a claim of harassment even if you have not lost a job or some other economic benefit. The law prohibits any form of protected-basis harassment that impairs your working ability or emotional well-being at work.
- C. You have a right to redress for unlawful harassment. In order to secure this right, provide a written complaint to your supervisor, elected official, the County Attorney, or the Human Resource Administrator as soon as possible after any incident you feel is prohibited harassment. Your complaint should include the details of the incident or incidents, the names of the individuals involved, and the names of any witnesses. Supervisors will refer all harassment complaints to the County Attorney. The County Attorney will immediately undertake an effective, thorough, and objective investigation of the harassment allegations. This investigation will be completed and a determination regarding the harassment alleged will be made and communicated to you as soon as practical.
- D. If the County Attorney determines that unlawful harassment has occurred, Washington County will take effective remedial action commensurate with the severity of the offense. Appropriate action will also be taken to deter any future harassment.

Whatever action is taken against the harasser will be made known to you, and Washington County will take appropriate action to remedy any loss to you resulting from harassment. Washington County will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management, employees or your co-workers.

- E. Washington County encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. You should also be aware that the United States Equal Employment Opportunity Commission (EEOC) investigates and prosecutes complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the EEOC. The nearest area office of the EEOC is 820 Louisiana Street, Suite 200, Little Rock, AR, 72201, and may be reached at (501) 324-5060 or (501) 324-5481. Normally, you have 180 days from the latest date of the alleged harassment to file a complaint. The EEOC will investigate your complaint. If the complaint has merit, the EEOC will attempt to resolve it. If no resolution is possible, the EEOC may prosecute the case with its own attorney before an administrative tribunal which may order the harassment stopped and can require your employer to pay monetary damages and reinstate you or give other appropriate relief.
- F. Unlawful harassment including a hostile work environment based on the same prohibited conduct as set out above.

See also appendix A to the Employee Handbook and the EEOC website at www.eeoc.com.

(Rev. October 9, 2003), (Rev. March 21, 2013)

16. REINSTATEMENT

An employee may, at the discretion of the elected official, be reinstated at the same employment status which the employee held before termination, if employee terminates in good standing and is re-employed within 30 days of termination in the same position. Employees being considered for reinstatement under other circumstances must have final approval by the Personnel Committee of the Quorum Court.

(Rev. January 12, 1984)

17. MANDATORY RETIREMENT AGE

There is no mandatory retirement.

(Rev. October 8, 1998)

18. REST PERIODS

Each elected official shall set rest and lunch periods for his or her office but at no time shall an office be left without adequate staff to perform necessary duties.

(Rev. June 9, 1988)

19. INCLEMENT WEATHER

A. Employees are expected to work regardless of the weather unless the County Judge declares the County offices officially closed. If the said offices are closed, then employees will be paid for the hours they normally work. If there is a delay in the opening of offices, employees shall likewise be paid if they work the remainder of the hours normally worked. Any employee unable to work due to the inclement weather when the offices are not closed or delayed in opening, then the employee will be charged vacation hours earned, if any, after compensatory time accrued, if any, for each day he or she does not report to work.

(Rev. May 9, 2002)

B. However, "essential" personnel, must remain at work or report to work for scheduled shifts even when County offices have been officially closed for safety reasons. For the purpose of this policy, "essential" personnel are defined as the Road Department, Juvenile Detention Center employees, Communication Officers, Law Enforcement Officers, Jail personnel and other employees who may be designated as such by their elected officials. "Essential" personnel who need transportation to their jobs should call their supervisor and a County vehicle may be sent when possible.

C. Employees who are not scheduled to work because of vacation, sick, or other leave will not receive inclement weather pay because the weather is not the reason for their absence.

D. The term "Essential Personnel" will be a factor in job rating.

E. "Non-essential" employees who have worked more than eight hours on any given day; but who do not actually work more than 40 hours during the work week due to inclement weather shall be entitled to additional pay at their regular rate or time off as determined by the elected official. (Rev. February 9, 2001), (Rev. March 8, 2007)

Compensation and Salary Administration

1. FAIR LABOR STANDARDS ACT

- A. The Fair Labor Standards Act establishes a general minimum hourly wage for those employees who are within its coverage and not exempt from its requirements. It also provides for equal pay regardless of sex and the establishment of minimum wage rates. Except for child labor restrictions, the FLSA does not impose any limitation on the number of hours that may be worked by employees covered under the Act. Instead, it seeks to limit the number of hours worked by requiring additional pay, in the form of overtime pay or compensatory time, for hours worked in excess of the established 40-hour maximum.
- B. The FLSA does not require:
1. Extra pay for Saturdays, Sundays, or holidays, as such.
 2. Pay for vacations or holidays, or severance pay.
 3. Discharge notices.
 4. Limits on the number of hours of work for persons 16 years of age or older, as long as overtime pay provisions are met.
 5. Time off for holidays or vacation. (If employees work on holidays, they need not be paid at time and one-half, or any other premium rate. Under the Act, holidays and Sundays are treated as other days.)
 6. Not all workers are covered by the FLSA. Certain workers who are outside the reach of the Act include: elected officials and their personal staffs, political appointees, legal advisors, bona fide volunteers, independent contractors and prison laborers. Other employees, while covered by the record keeping provisions of the Act, are exempt from the overtime and minimum wage requirements. These include executive, administrative, and professional employees.

(Adopted April 14, 1988)

2. PROGRAM OF SALARY ADMINISTRATION

A. Introduction and Purpose

The County has instituted a program of job evaluation and salary administration for all salaried personnel that will attract and retain qualified employees; reflect the relative value of jobs; be externally and internally consistent and fair; and provide the flexibility to reward employees on the basis of individual performance and contributions to achieve the County's mission and goals.

The principal aims of the salary administration program are as follows:

1. Equitable distribution of the salary dollars based on an employee's contribution to the County, with emphasis upon attainment of the performance standards for each position.
2. County's salary levels are competitive with external salary levels.
3. Provide a sound and continuing salary administration program which will aid in eliminating salary inequities, assist in the proper management of salaries, provide means for relating performance to salaries, plus employee performance evaluations.

Having formulated Washington County's salary administration program, its ongoing success will depend upon how well it is administered for each person while being accountable for effective salary administration. Equitable salary policies have been established and must be administered consistently throughout all the areas of Washington County's operations to assure receiving the greatest return from each salary dollar.

3. SALARY ADJUSTMENTS

A. Types of Increases:

Salaried personnel may receive a base salary increase through cost of living adjustment, merit and/or promotion.

Payment Within The Range:

The goal of the salary administration program is to reach a point where all employees shall be paid at an equitable level within the prescribed salary range for

Salary Administration Policies

Revised and Adopted on 5/30/00
Revised and Adopted on 8/7/03

Revised and Adopted on 9/9/04
Revised and Adopted on 11/10/05

Revised and Adopted on 3/4/08
Revised and Adopted on 5/30/17

their classification, with each position having a prescribed salary grade. No employee will receive a salary adjustment that causes the person's salary to fall above salary range. The purpose of a salary range is to fully compensate employees for proven performance as related to the performance standards and goals for a respective position. The range should be viewed as a continuum, stretching from acceptable performance at the bottom to superbly outstanding at the top, or maximum. Thus, common sense salary administration adjustments, and not some mechanistic formula, are required in administering salaries within the upper half (quartiles 3 and 4) of the range, based upon employee performance as related to standards and other aids used to assess performance.

B. Hiring Rate:

1. In most cases, all full-time employees shall be hired at the minimum rate for their grade range. The County will allow an individual new hire to be paid up to halfway between minimum and midpoint for the position's salary range given the person has additional experience, education, etc. that add value to the position. These additional attributes and the negotiated amount will be presented to the Job Evaluation Committee for review and approval. In general, pay in excess of minimum will be supported by additional related experience that exceeds the minimum required experience as noted in the position description. There will be a mandatory limit of 120 calendar day after a new employee's hire date for a salary adjustment based on education and experience that exceed the job's minimum requirements. Any exception to this policy must be approved by the Personnel Committee.
2. In the case where an Elected Official or Department Heads is at risk of losing a potential new hire while waiting to seek approval from the Job Evaluation Committee at its next regularly scheduled meeting, the Elected Official or Department Head may make an above minimum pay rate offer to the new hire per the above stated hiring rate policy. The Elected Official or Department Head must inform the new hire that this pay rate is pending and subject to JEC approval. The Elected Official or Department Head will present the additional attributes of the new hire and the offered pay rate to the Job Evaluation Committee for review and approval.

(Rev. November 10, 2005)

C. Salary Range Quartiles

Salary Administration Policies

Revised and Adopted on 5/30/00
Revised and Adopted on 8/7/03

Revised and Adopted on 9/9/04
Revised and Adopted on 11/10/05

Revised and Adopted on 3/4/08
Revised and Adopted on 5/30/17

The quartile principle of salary administration has proven to be an effective control in correlating performance and merit salary progression. The salary range is composed of four parts, representing levels of accomplishment.

Example:

<u>Automatic Step Adjustments</u>		<u>Performance Based Adjustments</u>	
Q1	Q2	Q3	Q4
Minimum	Mid-Point		Maximum
MARKET			

- a. First Quartile - for those whose performance is acceptable but not yet fully satisfactory. Usually these are new employees - new to a given job or to the County organization.
- b. Second Quartile - up to and including the mid-point, should be used for compensating those whose performance is fully satisfactory and who are doing a good, completely adequate job, including meeting the respective standards of performance for the job's goals. This is considered the Going Rate for market for full productive employees.
- c. Third Quartile - should be entered only when an individual's performance is clearly superior and significantly above that which would normally be expected; thus, the incumbent is exceeding the standards of performance for the job's goals.
- d. Fourth Quartile - should be reserved for compensating outstanding performance, unusual and exceptional achievement, which includes those persons who are ready for promotion to a higher position due to qualifications and a sustained high level of performance in excess of the agreed upon performance standards.

D. Merit Increase Eligibility:

1. Each year all full-time county employees will be evaluated based on their past year's performance, using the County's performance appraisal form. All appraisals must be completed and reviewed by the employee and his/her immediate supervisor. Once the meetings have taken place, all original appraisal forms will be submitted into the Human Resources Office by November 15 of each year.

2. Recognizing that the merit allocation to an employee is based on a person's performance, the performance appraisal will assist the supervisor or department head in determining the percentage merit an individual will receive. Merit pay adjustments approved by the Quorum Court will be allocated annually to deserving employees who met the eligibility requirements for merit based on their performance. Employees with less than one year of employment will receive a pro-rata share of the merit adjustment. Merit adjustment will not cause employee to go over the maximum of their respective range.

E. Limit of Merit Increase:

The amount of merit increase in a given twelve-month period should not be more than five percent of the employee's base salary and/or a different percentage as directed by the Quorum Court. The exact amount of merit increase should be determined by considering: (1) the organization component's salary budget, (2) the incumbent's performance position within the salary range, (3) the general pattern of merit increases throughout the various County organizations, and (4) other factors such as the immediate future of the individual with respect to promotions. Any exception to this policy must be approved by the Personnel Committee.

F. Promotional Increase Eligibility:

An employee may be eligible for promotional increase at any given time during the year provided the individual's classification has been changed to a higher salary range due to assignment of additional duties and accountabilities as formulated through the County's job evaluation.

G. Limit of Promotional Increases:

The amount of a promotional increase for employees promoted to an existing County position with a greater level of accountability and corresponding classification/grade must be to the minimum salary range of the position the employee is being promoted to or up to halfway between the salary range minimum and the midpoint, or up to a five-percent (5%) increase above the employee's present salary. These promotional salary adjustments will be at the discretion of the Elected Official. If the employee's current base salary exceeds the new position's salary range midway point between the minimum and midpoint, then the employee will receive a five-percent increase on their current base salary. Any promotional increase that exceeds the above criteria requires approval of the Personnel Committee of the Quorum Court. Unbudgeted funds for promotional increases must be approved by the Finance Committee. The new salary shall be determined by the

individual's qualifications, time and experience with the County and previous superior performance. Promotional increases shall be separate from merit increases. (Revised and adopted on 9/9/04)

H. Pay Increases for Re-rated/Re-classified Positions:

An employee may be eligible for an adjustment in pay if the individual's classification/job grade has changed as a result of a position re-rating. Re-rated positions and subsequent changes in classifications/job grades are usually prompted by additional duties, accountabilities, education and/or experience required by the positions since their previous review and rating. In circumstances where a position has been re-rated and re-classified, an individual's pay will be adjusted to the new classification/grade salary range minimum unless their present pay exceeds the new classification/grade minimum. For re-rated positions with upward movement of two or more grade levels, an individual's pay may be adjusted up to the half-way point between the new classification/grade salary range minimum and midpoint and treated as a promotion. If the employee's current salary exceeds the new classification half-way point between the grade salary range minimum and midpoint, then a 5% pay adjustment to the employee's salary would be applied. Re-rated positions must be reviewed and approved by the Job Evaluation Committee and subsequently approved by the Quorum Court during the annual budget review and adoption process. Pay adjustments will be initiated with the new budget year.

(Revised 03/04/2008)

I. Salary Decreases:

1. Due to organizational re-adjustments or demotions caused by personal matters or inadequate performance, employees may be transferred to a position having a lesser salary range. This type of transfer may necessitate a decrease in salary due to lesser duties and accountabilities.
2. The County will recognize two types of demotions that may necessitate a decrease in salary. The following two paragraphs outline the related policies to address each of these types of demotions.
 - a. An employee demoted as a result of poor performance and/or disciplinary action where the employee is transferred to a job with a lower grade than their current job will enter the new job with a pay rate at the minimum of the new position salary range.

- b. An employee demoted due to organizational re-adjustments or a voluntary demotion where the employee is transferred to a job with a lower grade than their current job, will enter the new job with a pay rate between the new position salary range minimum and its midpoint. In the instance that the employee held this position previously, then employee's pay will return to previous pay in that grade level. An Elected Official may desire to secure a pay level in excess of the midpoint based on County tenure and experience. Any request of pay in excess of the midpoint and supporting documentation will be submitted to the Job Evaluation Committee for review and approval and then forwarded to the Personnel Committee for their approval. The employee's pay will not exceed the grade level maximum.

J. Merit Increase Procedures and Approving Authority

1. Elected Official/Department Head originates the merit increase request, including support documentation, e. g. performance appraisal data.
2. Elected Official/Department Head counsels with and reviews the merit increase documentation with the County's Human Resources Administrator as to:
 - a. Completeness of the information.
 - b. Availability of salary budget funds.
 - c. Relationship of the merit request as to current criteria and policies.
3. The Job Evaluation Committee reviews the merit increase requests and will send observations and recommendations to the Personnel Committee of the Quorum Court. The Personnel Committee of the Quorum Court approves, rejects, defers, or takes such actions as are in the best interest of Washington County government.
4. Human Resources Department processes the merit increase request as follows:
 - a. Advises Elected Official/Department Head regarding the disposition of the request.
 - b. Processes the payroll and other forms relating to the salary change.

5. After the Quorum Court approves the payroll budget (part of the overall budget), Elected Official/Department Head can advise their employees of the forthcoming increase in salary resulting from merit recognized performance.

4. SALARY ADMINISTRATION BUDGETS AND REPORTS

A. Salary Administration Controls

In order that the day-to-day administration of salaries may be effectively performed, and at the same time attain overall county-wide salary objectives, there is a requirement for administrative controls as outlined in this policy statement. These controls will keep the County's administrators informed on the exact status of salary administration throughout the various organization components.

B. Overall Salary Budgetary Control:

The purpose of this type of budgetary control is to permit the Administrators and government bodies to determine the salary funds to be allocated for salary changes on a yearly basis. Prior to January 1 of each year, Administrators and the Quorum Court will determine the County's total personnel salary increase allocation and a breakdown of each major organization component.

C. Quarterly Salary Report:

The Quarterly Salary Report will be prepared by the Human Resources Department, and it will reflect total salary data by major organization components, relating total actual salaries paid to employees to authorized base salary for a given year.

5. GUIDELINES FOR SALARY RANGE MANAGEMENT

1. The Administrators can expect that a sound job evaluation program will provide justifiable measurement of value for each position in the County's organization. This measurement, together with an examination of what other organizations pay for positions of comparable value, permits the County to set a "price tag" or salary range for each position. The salary range (normally forty percent from minimum to maximum), is established without consideration of what any individual in a position should be earning on a basis of the individual's performance as related to the standards for the job.

2. A performance appraisal program is an aid to salary administration and focuses its attention on the individual; more specifically, on the individual's performance in the achievement of the primary end results expected from the job. An appraisal program can provide general guides for determining where, within that forty percent range from minimum to maximum, an individual's salary belongs and how much of an increase the person may be entitled to according to the continued performance as compared with the standards for the person's goals and accountabilities.
3. The installation of sound job evaluation and performance appraisal programs can turn out to be futile gestures unless they are properly coordinated, integrated and administered; especially, the administration of base salaries as they are affected by performance.

A. The Structure of a Salary Range:

1. Though job evaluation is conducted without direct regard to any individual's performance, the evaluation must be based on an absolute criterion of "acceptable" performance. (Acceptable - "capable or worthy of being accepted; satisfactory, sufficient" by meeting the prevailing standards of performance.) The job is evaluated according to an acceptable criterion of performance; and the appraisal of any incumbent's performance, whether that incumbent be an inexperienced newcomer or a seasoned veteran, must relate to that same absolute criterion.
2. This criterion establishes the midpoint of the salary range within which salaries may be positioned according to the performance of the position incumbents. The normal minimum salary for the range is 80% of the midpoint; the normal range for the maximum is 120% of the midpoint. Between the minimum and maximum, performance zones are established as illustrated on the following page for the administration of salaries.
3. The vast majority of employees can usually be accommodated within three middle zones. Though the boundary lines between zones are somewhat fuzzy, there should be little difficulty in classifying individual performance for salary administration.

B. Anatomy of a Salary Range for County Personnel:

Maximum

CONSISTENTLY EXCEEDING JOB REQUIREMENTS. This zone is normally reserved for those individuals whose outstanding performance is clearly obvious.

AT TIMES EXCEEDING JOB REQUIREMENTS. Zone for seasoned employees whose performance is noticeably better than "meeting job requirements".

MEETING JOB REQUIREMENTS. Zone for seasoned employees whose performance is "capable or worthy of being accepted; satisfactory,

Midpoint=====

SUFFICIENT. A zone where the person is meeting the standards of performance. Midpoint is considered the current market rate.

PROCESSING TO MINIMUM REQUIREMENTS. Zone for employees whose performance is close to "meeting job requirements" but the need for further development is recognizable as to the quantitative and qualitative standards.

NEEDS IMPROVEMENT. A provisional zone for inexperienced newcomers and others whose performance is clearly below the "meeting job requirements" level. Employees should either move up in the range or out of the position in a relatively short time.

Minimum

C. Salary Positioning:

1. Both the incumbent in a job and the person who will appraise the individual's performance must have a clear and common understanding of what constitutes "meeting job requirements" performance.
2. The problems of salary positioning do not begin and end with "performance." Even those who feel that it is the most important factor recognize that there are other "facts of life" which are always present and which must always affect the outcome. The elected official or department head is obliged, by both reason and reality, to weigh all of the following considerations when locating each incumbent's salary within a range:
 - a. First and foremost, performance in the recent past as related to the standards for the job;

- b. Second, present salary and past salary treatment;
- c. Third, years of service in a position or equivalent seasoning. (Under normal conditions, seniority relates to performance.)
- d. Fourth, expectation of future potential must also receive consideration as such relates to the performance of the individual.

D. Salary Adjustments - "Merit Increases":

- 1. Management can install practical controls or guides which will indicate the acceleration rate as a function of the performance rating and the years in a job. Normally, the rate is faster in the earlier years, when service and seasoning tend to be synonymous, than in the later years when service becomes more redundant.
- 2. It is possible to anticipate and plot, within a close approximation, the salary growth of any job incumbent as a function of the years the person remains in the job and the person's performance ratings during those years.
- 3. Though each individual management group, rightfully, has its own philosophy as to what the acceleration rates should be, various control charts and tables can be developed to match that philosophy. These serve as an administrative guide to awarding increases to each employee.
- 4. Money is a primary motivating force, but only when it is closely tied to performance. The best return in employee performance that management can expect from its investment in salary dollars will only be achieved when it has a competitive salary structure and an understandable and workable performance appraisal program, both of which must be based on a sound job evaluation program.

6. ADMINISTRATION OF JOB EVALUATION PROGRAM

A. Position Description:

- 1. The County maintains position descriptions for each classification, with the format and content establishing the job content in perceptive and intelligible terms. The job description, which is the basic instrument for evaluation, is a functional description which:

Salary Administration Policies

Revised and Adopted on 5/30/00
Revised and Adopted on 8/7/03

Revised and Adopted on 9/9/04
Revised and Adopted on 11/10/05

Revised and Adopted on 3/4/08
Revised and Adopted on 5/30/17

- a. Emphasizes essential & non-essential position objectives.
 - b. Denotes areas of operation and accountabilities.
 - c. Defines organizational and working relationships.
 - d. Outlines answerability for final results.
 - e. Conveys pertinent data about the position.
 - f. Highlights physical and mental requirements.
2. The following benefits will be derived from position descriptions:
- a. Basis for use in making organization studies.
 - b. Basis to conduct performance appraisal and counseling functions.
 - c. Selection of employees and determination of training needs.
 - d. Help in formulating individual development plans.
 - e. Preparation of positions' goals and objectives.
 - f. Establishment of job valuation and lines of progression.
 - g. Means of communicating with new or prospective employees.

B. Position Functions:

1. The list of essential and non-essential functions represent an important part of each position description, and sets forth the end results to be achieved by each job. These functions set out what a job is to accomplish to have an effect on end results.
2. Essential function information is utilized as follows:
 - a. Merit increases are based on performance or progress measured against the job's essential functions.
 - b. Formulation of goals, objectives, standards, and expected end results for each position. If there is no agreement on what the incumbent is to accomplish, how can there be agreement on whether the employee got there?
 - c. Provides a basis for performance appraisal of the employee, whereby the supervisor can review with an employee the critical elements, the "makes or breaks" of the employee's job.
 - d. Provides a means for focusing attention and effort on the prime purposes of the job and County operations.

- e. Furnishes the County with the most appropriate organizational structure design.

C. Position Analysis Questionnaire:

The first step in determining the value of a position is the completion of a Position Analysis Questionnaire (PAQ). The PAQ provides a set of standard questions to identify the purpose of a position, the position's principal job duties and work responsibilities, the job knowledge and experience required to perform in the position and the skills, working conditions and physical demands of the position. The PAQ ensures consistency by rating each position on the same fifteen factor job rating approach, which includes:

Knowledge and Skill Requirements:

1. General Experience
2. Management Experience
3. Education
4. Initiative and Ingenuity
5. Mental Demand
6. Analytical Ability/Problem Solving

Responsibilities:

7. Responsibilities for Work of Others (Supervision)
8. Responsibilities for Funds, Equipment, Property, Etc.
9. Responsibilities for Accuracy
10. Accountabilities (End Results)

Contacts/Human Relations:

11. Contacts with Public
12. Contacts with Employees

Efforts:

13. Machine and Computer Operations
14. Working Conditions/Hazards
15. Physical Demands

D. When to Complete a PAQ:

One of three events indicates the appropriateness of submitting a PAQ and requesting the evaluation of a position.

1. When a position is newly created.
2. When significant change has occurred in the scope of responsibilities or accountability of an existing position.
3. When the salary grade/band assignment of a position is questioned.

E. Process for Submitting a PAQ:

1. The position supervisor, department head and/or elected official of the position should contact Human Resources at 444-1728 to request an invitation to complete the PAQ.
2. Once the PAQ job title has been created, the recipient will receive an email invitation from the HR department's DBCompensation system with a web link to complete the PAQ form.
3. Each e-mail invitation includes a specially encoded link unique to each individual respondent and job title. No other people will be able to access the electronic PAQ without this specially encoded link.
4. Once the PAQ form has been completed, the HR department will receive a notification that the PAQ is complete and will route the PAQ to the next level of supervision (if necessary) for review and edits as appropriate.
5. After the Elected Official or Department Head has approved the PAQ/ Position Description, the Director of Human Resources will review for accuracy and then send a copy of the job description to the County's Compensation Consultant who will then review and rate the job based on the JESAP/DBCompensation job evaluation system.
6. The County's Compensation Consultant will present new job descriptions or significantly revised position descriptions, recommend job rating summaries with total job points and the pay grades for positions to the Job Evaluation and Salary Administration Program (JESAP) committee for review, questions, edits and approval.
7. New positions and revised positions requiring additional budgeted compensation dollars will be presented to the County's Personnel Committee and then proceed through the County's approval process (Finance Committee and Quorum Court) per policy requirements.

F. Position Descriptions and Titles:

Request for preparation of a position description for a new position should be made by the Elected Official to Human Resources. Human Resources of the Compensation Consultant, in conjunction with concerned persons, will prepare the job description and schedule it on the agenda for the Job Evaluation Committee. A newly created position should not be filled until the job has been properly described and evaluated.

G. Maintenance of Existing Position

1. The content of each position should be compared with the job description annually by the immediate supervisor to assure adequate maintenance of job descriptions. If there is a significant variance between the descriptions and the positions as it exists, this should be referred to Human Resources.
2. No position will be brought up for re-analysis and re-evaluation more than once a year.

H. Position Titles

1. The Job Evaluation and Salary Administration Program (JESAP) Committee, on a County-wide basis, has formulated job titles in keeping with the following pattern:
 - a. Placed at the beginning of the title is the term Manager, Supervisor, Director, Coordinator, etc.,
 - b. Consideration for internal and external benchmark descriptive requirements,
 - c. Titles are as short as possible and
 - d. Reflects level of accountability.
2. Required title changes are processed through the Job Evaluation Committee following the same procedure utilized for position descriptions.

7. STANDARD WORK WEEK

- A. The standard work week for Washington County shall begin at 12:00 A.M. on Monday and end at 11:59 P.M. the following Sunday. A pay period shall consist of two standard work weeks.
- B. All employees are expected to work those hours prescribed by their elected official. The scheduling of these hours is the responsibility of each elected official. The elected official should schedule the hours of his or her employees so that each employee works no more than forty (40) hours in any work week.
- C. All employees who are not exempt from the minimum wage and overtime provisions of Washington County policy, whether full-time or part-time, shall record on a time card their total hours worked each workday. At the end of the pay period the employee must sign his or her time card to certify accuracy of hours worked and submit the time card to his or her elected official or department head for verification and approval. Payroll processing shall be based on this documentation. Employees shall be paid on Friday following the close of the pay period. In the event Friday is a holiday, payday will be the last workday before Friday.
- D. All employees who are exempt from the minimum wage and overtime provisions of Washington County policy shall provide the Human Resources' Office with a report of any hours not worked in the workweek. Missed hours may be charged to the appropriate leave (vacation, sick, holiday, etc.) in accordance with the county personnel policies.

Note: Washington County will define "exempt" by Department of Labor regulations and may resolve any question by requesting an Administrative Letter Ruling from the Department of Labor.

(Rev. October 11, 1990)

8. OVERTIME COMPENSATION

- A. Elected Officials, executive, administrative, and professional employees, and other employees exempted by the Fair Labor Standards Act are not subject to the minimum wage and overtime provisions of Washington County policy. An employee designated as 207(k) shall not be eligible for over-time until he or she works hours in excess of the number designated for his or her work period. Any employee that meets the definition of an executive, administrative, or professional employee, as set forth in the Fair Labor Standards Act, shall be paid as an exempt employee by Washington County except for

exempt employees of the Sheriff's Department if specifically agreed to by the Quorum Court.

- B. No County employee may work more than 40 actual hours in one week without prior Elected Official authorization. Work weeks may be restructured on an individual basis to accommodate particular situations.
- C. Hours worked in excess of 40 actual work hours per week shall be compensated by compensatory time at the rate of one and one-half hours for each hour of overtime actually worked in a work week.
- D. An employee who has accrued compensatory time and who has requested the use of such compensatory time shall be permitted to use such time within a reasonable period after making the request if the use of the compensatory time does not disrupt the operation of the employee's office or department. Nothing herein shall be construed as prohibiting an Elected Official from requiring that an employee use compensatory time.
- E. No County employee may accrue more than 40 hours compensatory time. After any employee has accrued the maximum compensatory time and not used it as leave, all overtime in excess of maximum limits must be paid in cash at the rate of 1 ½ times his or her regular rate of pay for each additional overtime hour worked.
- F. Employees being considered for promotion who have a compensatory time balance shall either be given such compensatory time off or paid for the compensatory time at their current rate of pay before the promotion can become effective.
- G. Upon termination of employment with Washington County, an employee who has accrued compensatory time shall be paid for unused compensatory time at a rate of compensation not less than:
 - 1. The average regular rate received by the employee during the last three (3) years of the employee's employment, or
 - 2. The final regular rate received by the employee, whichever is higher.
 - 3. If a County employee is paid for accrued compensatory time subsequent to the time such compensatory time is earned other than upon termination of employment, the employee shall be paid for such compensatory time at the regular rate earned by the employee at the time the employee receives the payment.
- H. Overtime pay at the rate of one and one-half (1 ½) times the regular rate may be paid to the County employees in accordance with Quorum Court approved appropriations.

- I. If an employee agrees, and with the approval of his or her Elected Official and solely at the option of the individual, to substitute during scheduled work hours for another such employee, hours worked as a substitute shall be excluded in the calculation of the hours worked for which the employee is entitled to overtime compensation.
- J. The term “compensatory time” shall mean hours worked during the applicable work week or other work period for purposes of overtime compensation, and for which the employee is compensated at the employee’s regular rate.
- K. The Fair Labor Standards Act prohibits employees from volunteering to perform the same type of services, which the individual is employed to perform for Washington County, in excess of 40 hours without compensatory time or overtime pay as compensation.
- L. Procedures to document the accrual and use of compensatory time have been developed by the Human Resources’ Office and must be followed by all County offices and employees.

(Rev. October 12, 2000)
(Rev. June 12, 2003)
(Rev. February 20, 2014)

9. PAYDAY AND SALARY CHECKS

- A. Payday shall be Friday following the close of the pay period. In the event Friday is a holiday, payday will be the last work day before Friday. Pay will be for the preceding pay period.
 - 1. The County Judge may alter a specific pay period for an unusual circumstance.

(Amended November 21, 2002)
- B. A statement of earnings and deductions will be attached to the paycheck and should be retained as it is the employee’s record of:
 - 1. Pay period dates.
 - 2. Hours worked.
 - 3. Rate per hour.
 - 4. Vacation hours paid.
 - 5. Sick Hours paid.
 - 6. Holiday Hours paid.
 - 7. Compensatory hours paid.

8. Bereavement hours paid.
 9. Miscellaneous paid.
 10. Current and year-to-date mandatory deductions (Mandatory deductions are those deductions mandated by state or federal law including FICA, federal income tax, state income tax, garnishments, and wage attachments for child support.)
 11. Current and year-to-date voluntary deductions (Voluntary deductions shall be limited to those programs endorsed and approved by Washington County.)
 12. Accrued vacation hours and maximum accrual balance.
 13. Sick leave hours.
 14. Compensatory time earnings for current payroll period.
 15. Accrued compensatory time.
 16. Gross pay.
 17. Total deductions.
 18. Net pay.
- C. Questions concerning paychecks should be directed to the department head, elected official, or the Human Resources' Office.
- D. Paychecks will be issued only at the regularly scheduled times. Employees who will be on vacation when checks are issued must make arrangements to have their paychecks picked up or deposited.
- E. Manually prepared payroll checks will be issued only to correct an error on a payroll check which is the fault of payroll processing. (If applicable.)
- F. Terminated employees shall receive their paychecks on their regularly scheduled payday through direct deposit. (If applicable.) Any earned vacation pay or termination pay will be paid at this time if sufficient notice has been given. Failure to give notice may cause a delay in the processing of special pay due on termination. Each employee that signs an acknowledgement that he or she has received and read the employee handbook or this provision hereby agrees to such.

(Rev. December 10, 1998)

(Adopted by Quorum Court April 12, 2007)

Benefits and Approved Leave

1. LEAVE BENEFITS

- A. Each Elected Official shall be responsible for keeping records of the leave taken by his or her employees and shall make regular reports of such on the payroll worksheets. The report shall include type and length of leave.

(Rev. December 10, 1998)

(Rev. April 13, 2000)

2. ABSENCE WITHOUT AUTHORIZED LEAVE

Absence without authorized leave, including any day or part of a day, shall be considered a violation of work rules. Absence without authorized leave for three consecutive days shall be sufficient grounds for dismissal.

(Rev. April 13, 2000)

3. ADMINISTRATIVE LEAVE

- A. Leave with pay while conducting an investigation to determine the propriety of an employee's action may be imposed by the Elected Official.

- B. Administrative leave must be documented on the time worked records as such. Hours paid will not be deducted from the employee's leave time.

(Adopted April 13, 2000)

4. MILITARY LEAVE

A. Federal Law; State Law; 15 Day Annual Leave

Full time Washington County employees are entitled to military leave in accordance with the Federal Law (The Uniformed Services Employment and Re-employment Rights Act of 1994; 38 USC part III chapter 43 as amended; USERRA) and applicable State Law regardless of anything herein to the contrary. Full-time employees who are members of the National Guard or any of the reserve branches of the armed forces of the United States shall be granted fifteen (15) days leave annually plus necessary travel time for annual training requirements. Pursuant to A.C.A. §21-4-102 employees are entitled to their regular salary during this fifteen (15) day period in addition to their military pay, unused leave under this provision may be carried forward to the next year for a maximum of thirty (30) days in any one year. The employee must report to his or her

supervisor the next scheduled work period after his or her return home, allowing for hospitalization and necessary travel time. Failure to report to work at the next regularly scheduled working period shall make the employee subject to the conduct rules of Washington County pertaining to absence from scheduled work.

(Rev. August 10, 2006)

(Rev. September 13, 2007)

B. Extended and Emergency Military Leave

A full-time employee who is drafted or called to active duty in the armed forces of the United States or who volunteer for military service shall be placed on extended military leave without pay. Upon application within ninety (90) days after the effective date of his or her release from active duty or from hospitalization incident to that duty, the employee shall be permitted to return to his or her former position or to a comparable position, with the seniority, status, pay and benefits that the employee would have had if he or she had not been absent for military purposes. An employee who enlists or reenlists for a second consecutive tour of military duty shall forfeit his or her re-employment rights. Military personnel called to duty in emergencies by the Governor or by the President of the United States shall be granted leave with pay not to exceed thirty (30) working days, after which leave without pay will be granted in addition to regular vacation leave. Leave under this provision shall be in addition to all other leave.

(Rev. September 13, 2007)

C. Use of Sick or Vacation Time

No employee will be permitted to use sick leave or required to use vacation leave for military purposes.

D. Health Insurance

If a full time employee is on active duty for more than thirty (30) days, that employee and his or her dependents should be covered by military health care. However, pursuant to the USERRA an employee has the right to elect continued health insurance coverage through the county for his or her self and his or her dependents for up to eighteen (18) months. If military service is for thirty (30) or fewer days, the employer and his or her family may continue coverage at the same cost as before service. If military service is longer, the employee and his or her family may be required to pay as much as 102% of the full premium for coverage. Pursuant to the USERRA the employee has the right to immediate reinstatement of health insurance coverage provided by the County upon return to the job.

(Adopted September 13, 2007)

E. Pension/Retirement Plans

The USERRA provides that an employee returning from military leave must be treated as not having incurred a break in County employment with regard to the County's retirement plan. Also, military service must be considered employment with the County for vesting and benefit accrual purposes.

(Adopted September 13, 2007)

F. Other Entitlements

As an employer, the County is required to provide a returning employee four basic entitlements:

1. Prompt reinstatement;
2. Accrued seniority, as if continuously employed;
3. Training or retraining;
4. Special protection against discharge, except for cause. The period of this protection is one hundred eighty (180) days following periods of service of thirty-one to one hundred eighty (31-180) days. For periods of service longer, the protection period is one (1) year.

(Adopted September 13, 2007)

G. Further Information

Any military leave should be discussed with the Human Resources' Office for full information on Veterans' re-employment rights.

5. CATASTROPHIC LEAVE BANK

A. Participation:

Participation in the Catastrophic Leave Bank (CLB) is available to all full time employees who meet the eligibility requirements. These requirements include the following:

1. The employee must be a regular/full-time employee.

2. The employee must have been continuously employed by Washington County in a full-time capacity for a minimum of two years prior to the plan's effective date.

An employee becomes a member of the CLB by contributing 8 hours of sick time to the bank annually. Eligible employees will be given an opportunity to sign up each year during open enrollment for a plan year effective January 1st of the next year. Employees not electing to sign-up during the enrollment period will not be eligible to participate until the following plan year. Upon enrollment in the plan and employee will automatically be re-enrolled each year unless the employee signs a cancellation form during open enrollment, or no longer meets the eligibility criteria as of the first day of the plan year.

A declaration of participation and contribution shall be made on a Catastrophic Leave Bank Election Form distributed and collected by the Human Resources Office. The CLB Form is due in the Human Resources Office between November 1st and November 30th each year for employees electing to participate the next year. Once forms are submitted, the HR department sends the necessary authorization to the Comptroller's office to deduct 8 hours of sick leave from the participating employees sick leave accrued. In no case can donations to the CLB reduce the employees personal leave time to less than 80 hours. Employees not possessing 80 hours of combined sick and vacation leave time at the time of signup, will be ineligible to sign up for the program. However, individuals who do not meet the minimum hour criteria under the plan due to a catastrophic illness or injury in the prior year, may make an appeal to the Catastrophic Leave Committee for special consideration for eligibility, and the committee will review such requests on an individual basis.

Employees wanting to donate additional hours of sick time to the CLB can do so throughout the year as long as donations do not reduce personal accrued leave below 80 hours. Donations must be made in a minimum of 4 hour increments, and require a contribution form to be completed. Once the donation is made, donations cannot be credited back to the donating employee except in instance where a qualifying catastrophic leave request for time is made to the committee and approved.

B. Governance:

1. The Catastrophic Leave Bank shall be governed by the Catastrophic Leave Bank Committee
2. The Catastrophic Leave Committee shall oversee the administration of the Catastrophic Leave Bank. The JESAP Committee shall act as the Catastrophic Leave Bank Committee. The committee shall decide on requests based on the

committee's rules of operation. Requests for leave from the Catastrophic Leave Bank should be routed to the Human Resources Office.

C. Rules of Operation:

1. Only those employees who have made contributions may make requests for days from the Bank.
2. Catastrophic Leave Bank days will be granted only in cases of physical, mental, or emotional illness of the employee or illness or death in the immediate family. Immediate family shall include the employee's spouse, children, parents, and any other relatives living in the same household.
3. The Catastrophic Leave Bank days may be used only upon exhaustion of all other paid leave. Days used from the Catastrophic Leave Bank are grants and do not require repayment.
4. Before approving a request, the Catastrophic Leave Bank Committee may review sick leave records and/or require appropriate documentation.

(This may include a doctor's or psychologist's statement verifying disability and/or expected duration.) Disciplinary records relating to absenteeism will also be reviewed by the committee, and such records will influence the committee's decision to approve or deny requests.

5. Requests for Catastrophic Leave Bank days should be made on a Catastrophic Leave Bank request form and submitted to the Chairperson of the committee through the Human Resource Office. Forms may be obtained by contacting the Human Resource Office. Requests will be considered on a first filed, first reviewed basis.
6. Catastrophic Leave Bank days will not be granted if an applicant is eligible for or receiving income from an income protection insurance policy or similar coverage. Employees receiving Workers Compensation benefits will also be ineligible to receive benefits.
7. Unused days contributed to the Catastrophic Leave Bank will accumulate and carry forward in the Catastrophic Leave Bank. If available hour balance is exhausted, requests cannot be approved until additional hours are donated to the Catastrophic Leave Bank.

8. In instances where the requesting employee is employed by the department of one of the voting Catastrophic Leave Bank Committee members, that member will be asked to abstain from voting on the request.
9. A person receiving catastrophic leave pay will continue to accrue sick and vacation hours. However, the person will use said leave as it is accrued, and will only be allotted time from the Catastrophic Leave Bank for unpaid hours.
10. Catastrophic leave time will run concurrent with FMLA time, and necessary FMLA paperwork is required to be on file with the Human Resources Office prior to any requests being heard. FMLA rules of certification and re-certification will apply. Catastrophic leave is limited to 6 months, 1040 hours, in and 24 month rolling period. Failing to return to work at the end of the catastrophic leave period will result in termination.
11. Catastrophic leave grants made from the bank shall be granted in up to 20 business day increments per individual, per request. Requests in excess of 20 days will be reviewed monthly by the committee for re-approval of the request. In instances where a single individual presents requests for leave in excess of 3 months, the committee will hold a special meeting to decide whether or not to grant up to a 3 month extension. In no case shall an employee receive leave from the Catastrophic Leave Bank in excess of 6 months.
12. Each Elected Official may make a request to the Catastrophic Leave Bank Committee to open a special donation period, in which the employees of that particular Elected Official would be able to donate hours for the expressed use of a designated employee in need of additional catastrophic leave benefits.
13. Suspected abuse of Catastrophic Leave will be investigated, and wrongdoing will result in termination.

D. Timekeeper Requirements:

The Timekeeper will present an annual report to the Sick Bank Leave Committee with the amounts donated by each employee, the amounts awarded, the names of recipients, the beginning balance and ending balance.

(Adopted Oct. 4th, 2010)
(Revised April 12, 2012)

6. BEREAVEMENT LEAVE

- A. Leave with pay of up to 3 days (for a total of 24 hours; 36 hours if under a 207(k) work week) may be taken in case of death in the employee's family as defined below. Two additional days (for a total of 16 hours; 24 hours if under a 207 (k) work week) travel time may be granted if out-of-state travel is required.

(Rev. June 12, 2009)

1. Family is defined as:

- Spouse
- Child
- Child's Spouse
- Parent or Person in-loco-parentis
- Brother/Sister (including Step, Half, Foster, and in-law)
- Spouse's Parent, Brother, Sister, Grandparent, or Grandchild (to any degree).
- Grandparent (to any degree)
- Grandchild (to any degree)
- Minor Child's Parent

2. Examples of "to any degree" as used above would be Great Grandparent or Great Grandchild.

(Rev. August 30, 2005)

(Rev. June 12, 2008)

- B. One day's (for a total of 8 hours; 12 hours if under a 207(k) work week) leave with pay may be granted in the case of the death of the employee's:

- Aunt/Uncle
- Niece/Nephew
- Cousin

(Rev. Nov. 10. 2005)

(Rev. June 12, 2008)

- C. Vacation leave, compensatory time or leave without pay may be granted for deaths other than above.

- D. Bereavement leave not used at the time of the death cannot be used later.

(Rev. June 14, 2001)

(Rev. November 10, 2005)

7. EDUCATION OR TRAINING LEAVE

Full-time County employees may be granted leave with pay for attendance at authorized conferences, seminars, or short courses of instruction designed to advance the county-related technical or professional skills of the person attending.

(Rev. January 14, 1982)

(Rev. November 10, 2005)

8. JURY DUTY AND WITNESS PAY

County employees shall be excused from work with pay for the period of time necessary to fulfill their civic duty when subpoenaed for jury duty or as a witness. The county employee will be permitted to retain any funds paid to them for such service.

9. UNPAID LEAVE

- A. In no instance shall an employee be granted an unpaid leave of absence if the employee has qualifying leave time available to them, except as outlined by federal law or county policy. The employee must first use the available leave time available to them, before taking an unpaid leave of absence.
- B. The employee may be entitled to take unpaid leave in certain cases as defined by law. All other unpaid leave requests that are not specifically authorized by law, shall be made to the Elected Official or his/her designee. The Elected Official or his/her designee will have the authority to approve or deny the leave request.

(Adopted February 20th, 2014)

10. FAMILY AND MEDICAL LEAVE POLICY

- A. Employees who have been employed for at least one (1) year, and for at least 1,250 hours during the preceding 12-month period are eligible for family and medical leave, each individual's situation will be reviewed separately.
- B. Family or medical leave will consist of appropriate accrued paid leave and unpaid leave. The employee will be paid any accrued sick leave, as needed; then, any accrued vacation leave, as needed. Except that employees on FMLA because of Worker's Compensation reasons will not be paid vacation or sick leave but will be paid "Pre-Determination"

Workers' Compensation Benefits from the County. The remainder of the leave period will then consist of unpaid leave. An employee may not use compensatory time for an FMLA reason, (compensatory time cannot be counted for FMLA purposes 29 C.F.R. 825.207). However, if an employee has requested family or medical leave and has exhausted all other accrued paid leave, then said employee shall be paid accrued compensatory time in a lump sum.

(Rev. April 14, 2005)

(Rev. Nov. 10, 2005)

(Rev. Dec. 8, 2005)

- C. All employees who meet the applicable time of service requirements may be granted family or medical leave consisting of appropriate paid leave and unpaid leave, for a period of twelve (12) weeks (during a rolling 12 month period measured backwards from the employee's most recent requested leave) for the following reasons:
 - 1. The birth of the employee's child and in order to care for the child;
 - 2. The placement of a child with the employee for adoption or foster care;
 - 3. To care for a spouse, child or parent who has a serious health condition; or
 - 4. A serious health condition that renders the employee incapable or performing the function of his or her job; or
 - 5. A Qualifying Exigency (as defined by the Department of Labor) for military service members.

- D. All employees who meet the applicable time of service requirements may be granted family or medical leave consisting of appropriate paid leave and unpaid leave, for a period of twenty-six (26) weeks (during a rolling 12 month period measured backwards from the employee's most recent requested leave) for qualifying Military Caregiver Leave. The employee must be the spouse, son, daughter, parent, or next of kin of the service member in order to qualify.

- E. The entitlement to leave for the birth or placement of a child for adoption or foster care will expire twelve (12) months from the date of the birth or placement.

- F. In all cases, an employee requesting leave must notify the supervisor of a need for leave. In the event that the need for leave is related to the employee's serious health condition, the employee is not required to disclose the specific illness to the supervisor. However, upon being notified of an injury, the Human Resources Department will send out a notice to the employee requiring the employee to complete a "Medical

Certification” form. The Employee must return the certification within 15 days of the date the Human Resources Department notifies the employee in writing of the necessity to complete the form.

- G. An employee intending to take family or medical leave because of an expected birth or placement, or because of a planned medical treatment, must submit a Medical Certification for leave at least thirty (30) days before the leave is to begin. If leave is to begin within thirty (30) days, an employee must give notice to his or her elected official and to the Human Resources Office as soon as the necessity for the leave arises.
- H. Requests for leave based on the serious health condition of the employee or the employee’s spouse, child or parent must also be accompanied by a “Medical Certification” completed by the applicable health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition.

If the employee is needed to care for a spouse, child or parent, the certification must so state, along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of his or her job.

If the employee is needed to care for an injured Military Service member, the employee must submit the Certification of Military Service Member Caregiver form to the Human Resources Department in order for the time to be designated. Employees are limited to 26 weeks of leave per service member per injury.

- I. An employee requesting leave due to a Qualifying Exigency will be required to complete and submit a Certification of Qualifying Exigency. This form must be submitted within 15 days of the date it is requested by the Human Resources Department. Qualifying Exigency Leave includes but is not limited to the following leave types:
 - 1. Short-notice deployment
 - 2. Military events and related activities
 - 3. Childcare and school activities
 - 4. Financial and legal arrangements
 - 5. Counseling
 - 6. Rest and Recuperation following deployment

Upon receipt of the Certification of Qualifying Exigency, the Human Resources Department will send a “Designation Notice” to the employee identifying whether or not the leave time was designated as FMLA time.

- J. During a period of family or medical leave, an employee will be retained on the Washington County health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he or she made to the plan before taking leave. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage. If the employee fails to return and work for 30 days after the expiration of the leave, the employee will be required to reimburse Washington County for payment of health insurance premiums during the leave, unless the reason the employee fails to return is the presence of a serious health condition which prevents the employee from performing his or her job or to circumstances beyond the employee’s control.
1. An employee is not entitled to the accrual of any seniority or employment benefits that would have occurred if not for the taking of leave. An employee who takes family or medical leave will not lose any employment benefits that accrued before the date leave began.
 2. An employee eligible for family and medical leave—with the exception of those employees designated as “highly compensated employee”—will be restored to his or her old position or to a position with equivalent pay, benefits, and other terms and conditions of employment. Washington County cannot guarantee that an employee will be returned to his or her original job. A determination of whether a position is an equivalent position” will be made by Washington County.
 3. When an employee returns to work and is required to reimburse the County for Health Insurance Premiums then said Premiums due shall be withheld at twice the rate of the Premiums as originally withheld until the amount owed is paid in full.

Example:

1. An employee paying \$34.41 per pay period shall have the premiums withheld at \$68.82 per pay period;
2. An employee paying \$118.69 per pay period shall have the premiums withheld at \$237.38 per pay period;

3. An employee withheld at \$91.00 per pay period shall have the premiums withheld at \$182.00; and
 4. An employee withheld at \$221.61 per pay period shall have the premiums withheld at \$443.22 per pay period.
- K. If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, notification must be given to the employee's elected official at least two (2) working days prior to the employee's planned return. This notice must include a doctor's release.
- L. The failure of an employee to return to work upon the expiration of a family or medical leave of absence may subject the employee to immediate termination.
(Rev. May 2, 2007)
- M. FMLA leave will automatically run concurrent with all other available leave time.

(Rev. October 8, 1998)
(Rev. April 13, 2000)
(Rev. February 12, 2004)
(Rev. March 12, 2009)
(Rev. March 21, 2013)

11. FRINGE BENEFITS

For details, including rates and benefits, check with the Human Resources' Office.

12. VACATION

- A. Full-time Washington County employees who have worked at least fifty weeks shall be entitled to take accrued vacation leave. Vacation leave shall accrue at the following rates:

1. Up to 7 years-.038 hours vacation leave for each hour worked up to 40 hours per week. Maximum accrual balance: 120.00 hours.

COMMENT: From day one of employment, and continuing for the next 182 bi-weekly pay periods, an employee earns .038 hours of vacation for each hour that is worked, up to 40 hours per week. Each 80 hour pay period accrues 3.04 hours of vacation leave.

2. 7 years through 10 years-.046 hours vacation leave for each hour worked up to 40 hours per week. Maximum accrual balance: 144.00 hours.

COMMENT: The second earning level begins with the first earning period after the 7 year anniversary and continues for the next 104 bi-weekly pay periods. An employee earns .046 hours of vacation for each hour that is worked, up to 40 hours per week. Each 80 hour pay period accrues 3.69 hours of vacation.

3. 11 years through 15 years-.058 hours vacation leave for each hour worked up to 40 hours per week. Maximum accrual balance: 180 hours.

COMMENT: The third earning level begins with the first earning period after the 11 year anniversary and continues for the next 104 bi-weekly pay periods. An employee earns .058 hours of vacation for each hour that is worked, up to 40 hours per week. Each 80 hour pay period accrues 4.64 hours of vacation leave.

4. Over 15 years-.069 hours vacation leave for each hour worked up to 40 hours per week. Maximum accrual balance: 216 hours.

- B. Part-time employees shall accrue vacation leave at the same rates. The maximum accrual balance for part-time employees is one-half of the maximum accrual balance for a full-time employee with the same length service.
- C. Vacation leave must be earned before it is taken and no one is entitled to any vacation leave until he or she has worked at least fifty weeks for the County. After the first fifty weeks, vacation leave may be taken as it is accrued. Vacation leave schedules are subject to the elected official's approval.
- D. Vacation leave hours will cease accumulating when the accrued balance reaches the maximum accrual balance for the employee's earning rate.
- E. Employees terminating prior to having worked for the County for fifty weeks are not eligible for vacation leave pay. Employees terminating after fifty weeks service shall be paid any accrued vacation leave that has accumulated.

(Adopted November 9, 1995)

(Rev. April 13, 2000)

(Rev. June 14, 2001)

(Rev. July 10, 2003)

13. SICK LEAVE

- A. All full-time employees of the County with at least three months service are eligible for sick leave with pay which shall accrue at the rate of .046 hours of sick leave for each hour worked.

(Rev. October 4, 2010)

- B. Part-time employees that are hired to work 1000 or more hours within a calendar year shall accrue sick leave at .023 hour of sick leave for each hour worked.

(Rev. November 10, 2005)

(Rev. October 4, 2010)

- C. An employee may use sick leave for personal illness, physical incapacity, or a medical or dental appointment. Sick leave may also be used to care for a member of an employee's immediate family as defined in the FMLA as: an employee's spouse, child or parent. The term parent does not include a parent in-law; nor does it include a son or daughter over the age of eighteen (18) unless "incapable of self-care" as defined by the Equal Employment Opportunity Commission (EEOC) under the Americans with Disability Act (ADA). Sick leave may be used in any instances where Family and Medical Leave applies and for specified instances of work related accidents or illnesses.

(Rev. April 14, 2005)

(Rev. August 30, 2005)

- D. Employees shall be charged only for the actual number of hours of sick leave taken.

- E. Sick leave with pay shall be granted only if it has been earned. Sick leave may be accrued up to a maximum of 720 hours for those employees hired before December 18, 1995 and 360 hours for employees hired on or after that date, provided that the employee has been employed by the County continuously during the time in which sick leave was accrued. When terminating employment with the County, an employee may not collect money for accrued sick leave, with the exception that any employee who is unable to return to work at the conclusion of 12 weeks maximum leave time shall be paid his or her remaining sick leave benefits on termination.

- F. Employees are encouraged to "build" their sick leave balances and to use it properly to reduce the chances of any break in receipt of pay should illness or injury occur.

- G. Evidence of abuse of sick and/or FMLA leave shall justify reasonable investigation, denial of unjustifiable claim (i.e. denial of sick and FMLA leave pay, denial of holiday pay) and disciplinary action. Approval of sick and/or FMLA leave for scheduled work days immediately preceding or following a holiday shall require a physician statement to verify illness or injury. Where there is a pattern of sick and FMLA leave usage abuse, the

County may verify the illness by telephone calls or personal visits to the employee at his/her residence or elsewhere. If such calls or visits fail to substantiate illness or injury, the County may request verification by a physician that the reported illness or injury occurred. Additionally, each subsequent illness or injury within the following 90 day period in which this employee has requested sick and/or Family leave must be verified by a physician. Furthermore, any such employee may be directed to seek counseling through the County Employee Assistance Program. Excessive use and abuse of sick leave outside of policy guidelines may result in disciplinary action or termination.

(Rev. February 10, 2005)

(Rev. November 10, 2005)

(Rev. October 4, 2010)

14. ARKANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM (APERS)

- A. Although some County officials and employees working for the county before 1978 may be covered by an earlier plan, all those employed since January, 1978, are covered by Act 793 of 1977 and any Acts amendatory thereto. This means that employees hired after June 30, 2006 are contributory. Under this plan the county contributes to the Arkansas Public Employees Retirement System (APERS) an amount specified by law. The employee is required to contribute five percent (5%) of the gross annual salary. Retirement benefits do not accrue during leave of absence without pay.
- B. All full-time employees and part-time employees who work 80 or more hours each month for 90 or more days in a calendar year must be enrolled as a member of APERS from the date of eligibility.
- C. A part-time employee hired to work less than 80 hours per month who does in fact, at some point work 80 or more hours per month for 90 or more consecutive days, must then be enrolled in APERS from the date of eligibility. Deposits will not be retroactive to the date of hire but will continue thereafter.
- D. Specific questions should be directed to:
 - Arkansas Public Employees Retirement System
 - One State Capitol Mall
 - Little Rock, AR 72201-1015
- E. A member must terminate covered employment to be eligible for retirement. A member shall not be terminated for retirement purposes if:

1. The person returns to covered employment with a different employer within 180 days of the person's effective date of retirement; or
2. The person returns to covered employment for Washington County within 180 days of the person's effective date of retirement.
3. Persons failing to meet retirement requirements shall forfeit their benefits until requirements are met.

(Rev. April 13, 2000)

(Rev. June 12, 2008)

(Rev. June 11, 2009)

(Rev. March 21, 2013)

15. HOLIDAYS AND HOLIDAY PAY

- A. Washington County Holidays shall be officially declared by the Washington County Judge. This declaration shall be issued annually, on or before December 10, and shall be for the forthcoming calendar year. Hours will be added to the holiday leave balance at the time the holiday occurs, if the employee is eligible.
- B. Employees working in areas that are not closed on holidays shall not receive time off for the declared holidays but shall receive special incentive pay as described in Washington County Code 2-47.2.
- C. A paid holiday shall consist of 8 paid hours or 1/5 of the average weekly hours, whichever is less, at the employee's normal hourly rate. Part-time employees shall receive holiday pay based on the number of hours worked divided by the number of days in the relevant pay period in which the holiday occurs unless paragraph "B" applies. Holidays not taken during the calendar year in which they are earned shall be forfeited.
- D. Employees on leave without pay are not eligible for holiday pay and leave time cannot be reserved for use during holiday pay periods only.
- E. Employees must work the scheduled workday before and the scheduled workday after a holiday in order to receive holiday pay.

Except:

1. Employees taking sick leave on the scheduled workday before or the scheduled workday after the holiday that provide a certificate of need from their doctor for the day in question. This certificate must be attached to the payroll authorization sheet before holiday pay will be processed.

2. Employees on scheduled vacation leave before or after a holiday will be considered as working the scheduled workday before and the scheduled workday after the holiday.
- F. When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on Sunday, it shall be observed on the following Monday.
- G. Holiday pay begins immediately upon employment, effective April 1, 1998.
(Rev. April 9, 1998)
(Rev. April 13, 2000)

16. MEDICAL INSURANCE

All full-time county employees are eligible to participate in the Washington County benefits program. Please see the Human Resources' Office for details.

(Rev. December 10, 1998)
(Rev. June 14, 2001)

17. CONTINUATION COVERAGE (COBRA)

- A. A federal law known as COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985 as amended) requires most employers sponsoring group health plans to notify all of their employees, including newly-hired, current and previous employees (and their dependents) of their rights to "continuation" health care coverage in the event they would lose coverage due to certain events called "Qualifying Events." This notice is Washington County's fulfillment of this obligation. If you, your spouse or dependent child(ren) are or become participants in Washington County's Group health plan(s), it is important to understand your ongoing rights and obligations under the continuation of coverage provisions of COBRA. This summary of rights should be reviewed by both you and your spouse (if applicable), retained with other benefits documents, and referred to in the event that any action is required on your part.
- B. If you, your spouse or dependent child(ren) should lose coverage under Washington County's group health plan(s) due to a "Qualifying Event" (listed below), you may be entitled to elect temporary continuation of health care coverage ("continuation coverage") at group rates. It is important that Washington County have your current address. Notification of a Qualifying Event, should one occur, will be sent to your last known address at the time of the event. The following summary of information

concerning COBRA outlines the procedures which should be followed if or when a Qualifying Event occurs.

- C. If you are an employee of Washington County and are covered by its group health plan, you have a right to elect continuation coverage if you lose your group health coverage because of a reduction in your hours of employment or the termination of your employment (for reasons other than gross misconduct).
- D. If you are the covered spouse of the above covered employee, you have the right to elect continuation coverage for yourself if you lose group health coverage for any of the following reasons:
 - 1. The death of your spouse;
 - 2. The termination of your spouse's employment (for reasons other than gross misconduct) or reduction in your spouse's hours of employment;
 - 3. Divorce or legal separation from your spouse; or
 - 4. Your spouse becomes entitled to Medicare.
- E. If you are a covered dependent child of the above employee, you have the right to elect continuation coverage if you lose group health coverage for any of the following reasons:
 - 1. The death of the employee;
 - 2. The termination of the employee's employment (for reasons other than gross misconduct) or a reduction in the employee's hours of employment;
 - 3. Parents' divorce or legal separation;
 - 4. Employee becomes entitled to Medicare; or
 - 5. The dependent ceases to be a "dependent child" under the terms of the plan(s).
- F. You also have a right to elect continuation coverage if you are covered under the plan as a retiree or spouse or child of a retiree, and lose coverage within one year before or after the commencement of proceedings under Title 11 (bankruptcy) of the United States Code.
- G. Under the law, the employee (or a covered dependent) has the responsibility to inform Washington County of a divorce, legal separation, or a child losing dependent status under the plan if any of these events would cause a loss of coverage. This notification

must be made within 60 days after the date of the Qualifying Event, or the date on which coverage would end under the plan because of the event, which is later. The notice must be in writing, and should be sent to:

Washington County Human Resources
280 North College, Suite 510
Fayetteville, AR 72701

- H. If notice is not made timely, rights to continue coverage will terminate. In situations where a covered employee discontinues coverage of a spouse in anticipation of a divorce or legal separation, Washington County, if timely notification is received, is required to make COBRA continuation coverage available effective from the date of the divorce or legal separation (but not prior to that date). If you need help acting on behalf of an incompetent beneficiary, please contact the Human Resources' Office for assistance.
- I. When Washington County is notified that a Qualifying Event has happened, it will in turn notify you that you have the right to elect continuation coverage. Under the law, you have 60 days from the date you would lose coverage because of one of the events described above, or 60 days from the date of the employer's notice of your right to elect continuation coverage (whichever is later) to elect continuation coverage. If you make a timely election, coverage will become effective on the day after coverage would otherwise be terminated.

Note: Some states offer financial aid to help certain individuals pay for COBRA coverage. Contact your appropriate state agency regarding availability and eligibility requirements.

Additionally, under certain circumstances, COBRA coverage must be paid with pre-tax dollars from a cafeteria plan under Section 125.

- J. If you do not timely elect continuation coverage, your group health insurance coverage will terminate in accordance with the provisions outlined in Washington County's plan.
- K. If you elect continuation coverage, your coverage will be identical to the coverage provided under the plan to similarly situation employees and their family members. The law requires that you be afforded the opportunity to maintain continuation coverage for 36 months from the date of the Qualifying Event, unless coverage was lost because of a termination of employment or a reduction in hours. In that case, the required continuation coverage period is 18 months measured from the Qualifying Event date. The 18-month period may be extended to 29 months for disabled Qualified Beneficiaries under certain circumstances, as described in section Q, question (3) below.

- L. However, the law also provides that continuation coverage may end prior to the expiration of the 18-, 29-, or 36-month period described above if any one of the following occurs:
 - 1. The Qualified Beneficiary fails to pay the required premium in a timely manner;
 - 2. The Qualified Beneficiary first becomes, after the date of election, entitled to Medicare;
 - 3. Washington County no longer provides group health coverage to any of its employees;
 - 4. The Qualified Beneficiary first becomes, after the date of election, covered under another group health plan (as an employee or otherwise) which does not contain any exclusion or limitation with respect to any pre-existing condition of the Qualified Beneficiary.

- M. You do not have to show that you are insurable to choose continuation coverage. However, continuation coverage under COBRA is provided subject to your eligibility for coverage under the plan. Washington County reserves the right to terminate your continuation coverage retroactively if you are determined to be ineligible.

- N. Under the law, you may have to pay all or part of the premium for your contribution coverage. Washington County may charge you up to 102% of the applicable premium for your continuation coverage. The law also says that, at the end of the 18-month or 36-month continuation coverage period, you must be allowed to enroll in an individual conversion health plan if one is provided under the terms of the employer's group health plan. In addition, under the Health Insurance Portability & Accountability Act (HIPAA, 1996) in certain circumstances, such as when you exhaust COBRA coverage, you may have the right to buy individual health coverage with no pre-existing condition exclusion without having to give evidence of good health.

- O. Once your continuation coverage terminates for any reason, it cannot be reinstated.

- P. Please notify:

Washington County Human Resources'
280 North College Avenue, Suite 510
Fayetteville, AR 72701

- 1. If you have any questions about this material; or

2. If you have a change in marital status, or you, your spouse, or eligible covered dependent has a change of address.
3. Also, if your spouse or any covered child resides at a different address, please notify the Human Resources' Office in writing, so that a separate notice may be sent.

Q. Cobra Questions and Answers:

1. Who is a Qualified Beneficiary?

A qualified beneficiary is any employee, former employee, or spouse or dependent child of an employee or former employee, who was covered under the employer's group health plan on the day before the Qualifying Event. The definition also includes a child born to or placed for adoption with a covered employee during the period of COBRA coverage.

2. What is a Qualifying Event?

A Qualifying Event is any of the following events which would cause an employee, former employee, covered spouse or covered dependent child to lose coverage under the employer's group health plan. These events include:

- a. with respect to a Qualified Beneficiary, an employee's termination of employment (includes voluntary resignation and involuntary termination, except when termination is due to gross misconduct), retirement, or layoff;
- b. with respect to a Qualified Beneficiary, an employee's reduction of work hours (includes work stoppage, strike, or employee begins leave of absence);
- c. with respect to a Qualified Beneficiary other than the employee death of a covered employee;
- d. with respect to a Qualified Beneficiary other than the employee, divorce or legal separation from a covered employee;
- e. with respect to a Qualified Beneficiary other than the employee, a dependent child's loss of eligibility due to the plan's eligibility definitions;
- f. with respect to a Qualified Beneficiary other than the employee, an employee becoming entitled to Medicare.

- g. with respect to a retiree or spouse or child of a retiree, loss of coverage within one year before or after the sponsoring employer's commencement of proceedings under Title 11 (bankruptcy) of the United States Code.

3. How long may coverage be continued?

If the Qualifying Event is either "(a)" or "(b)" in question "2" above, coverage may be continued for up to 18 months, *which is measured from the date of the Qualifying Event. For Qualified Beneficiaries other than the covered employee, coverage may be continued for: (i) up to 36 months from any other Qualifying Event, which is measured from the date of the original Qualifying Event, or (ii) up to 36 months measured from the date of the covered employee's Medicare entitlement, if the covered employee becomes entitled to Medicare and, within 18 months thereafter, has a Qualifying Event (either "(a)" or "(b)" in question "2" above). However, continuation coverage may end prior to the expiration of the 18, 29, or 36- month period, as described in paragraph "L".

*Note: A Qualified Beneficiary who is determined under Title II or XVI of the Social Security Act, to have been disabled at the time of a Qualified Event or within the first 60 days of COBRA coverage described in "(a)" or "(b)" in question "2" above may be eligible to continue coverage for an additional 11 months (29 months total). In order to obtain this extension of coverage, the Qualified Beneficiary must provide Washington County with the written determination of disability from the Social Security Administration within 60 days of the date of the determination of disability by the Social Security Administration and prior to the end of the 18-month continuation period. Washington County can charge up to 150% of the applicable premium during the 11-month disability extension. If coverage is extended to 29 months, coverage will cease upon a final determination that the Qualified Beneficiary is no longer disabled, the disabled individual must notify Washington County within 30 days of any final determination that he or she is no longer disabled.

4. What coverage(s) may be continued?

Qualified Beneficiaries may continue only those group health coverages that were in effect on the day before the Qualifying Event.

5. Can Qualified Beneficiaries make separate elections?

Yes. Qualified Beneficiaries may make separate elections. Each Qualified Beneficiary may choose any benefit coverage for which he or she is eligible. If

Qualified Beneficiaries wish to make independent elections, they must complete separate election forms. Parents or guardians may elect coverage on behalf of minor dependent children.

6. How much will it cost me to continue coverage under COBRA?

The cost to continue coverage is the applicable group premium rate for coverage elected, plus an administration fee, if applicable. Premium rates (including administration fees where applicable) should be provided to you at the time of a Qualifying Event. These rates are subject to change.

7. When does COBRA coverage begin?

COBRA continuation coverage begins on the day after the date that coverage would otherwise terminate under the plan, only if the election form is sent within the allotted time period and all other eligibility requirements are satisfied.

(Rev. June 14, 2001)

18. PERSONNEL RECORDS

- A. Personnel Records of all County employees shall be kept by the Human Resources' Office. Whenever there is a change in address, phone number, dependents, or beneficiaries, it is the responsibility of the employee to report such change to the Human Resources' Office. If any Elected Official keeps a separate personnel record within his or her office, a copy of the contents shall be promptly forwarded to the Human Resources' Office.

(Rev. June 14, 2001)

- B. Time Records of all county employees shall be kept by each Elected Official, and stored in an easily accessible location. Time Records must be reviewed for accuracy, and signed by both the employee and the supervisor. They must be available for viewing by representatives of the Department of Labor, and be retained for a minimum of three years.

(Rev. June 11, 2009)

19. WORKERS' COMPENSATION

Reporting of Workers' Compensation Injuries:

1. A.C.A. 11-9-701(a) states in part: "Unless an injury either renders the employee physically or mentally unable to do so, or is made known to the employer immediately after it occurs, the employee shall report the injury to the employer on a form prescribed or approved by the Commission and to a person or at a place specified by the employer, and the employer shall not be responsible for disability, medical or other benefits prior to the receipt of the employee's report of injury.
2. In order to avoid the possible loss of benefits under the Worker's Compensation Act, the following procedure for reporting work-related injuries must be followed:
 - a. All work-related injuries, no matter how minor, should be reported to the employee's supervisor immediately, and an injury report must be completed. For the purpose of this policy, an injury shall not be considered reported unless the supervisor has been notified and an injury report has been completed immediately after the accident. If this procedure is followed, the employee will not be required to fill out an Employee's Notice of Injury (Form A-32).
 - b. If a work-related injury is not reported immediately, or if an injury report was not completed, the employee must fill out an Employee's Notice of Injury (Form A-32) (available from the supervisors or the Human Resources' Office) and submit it to the Human Resources' Office before seeking treatment.
 - c. In addition to the provisions added pursuant to Washington County Code 2-64 the following provision is hereby added:

All appointments with the physician of choice as designated by the County Judge shall be made through the Office of Human Resources. However, upon agreement by the employee and his or her supervisor, the employee may first be seen by one of the registered nurses employed or contracted by the County at the Sheriff's Office. In the event a registered nurse is seen, then the Office of Human Resources shall be notified.

The only exception to this rule shall be for emergency treatment required after regular business hours; however, in this case, the employee shall report the injury to the Human Resources' Office on Form A-32 (Employee's Notice of Injury) on the next business day following the treatment. Failure to give notice to the employer shall also be excused if the employee is either physically or mentally unable to do so.

3. A lost time work related illness or injury can also be a Family and Medical Leave absence.
 - a. The first 7 days missed after an incident (excluding the day of injury) is not compensated by the Washington County carrier until the 15th day is missed as a result of the injury. The employee shall be paid in full regardless of the number of hours worked on the day of the injury. The 8th through the 15th day missed after an incident is compensable by the carrier at two-thirds of employee salary or maximum amount allowed under the regulations whichever is less; said sum being non-taxable and equivalent to employee's net pay.
 - b. No sick, vacation, or compensatory time may be taken while an employee is off work and receiving compensation as stated in 3.a. above; however, the first 40 hours shall be paid as "Pre-Determination" Workers Compensation Benefits from the County.
 - c. However, if the carrier has failed to either honor or controvert the claim by the 8th day, then the employee may continue "Pre-Determination" Workers' Compensation Benefits from the County until the carrier notifies the employee of the status of the claim.

(Revised March 11th, 2010)

Employee Discipline, Termination, and Grievance Procedures

1. DISCIPLINARY ACTION

To assure satisfactory performance of the duties assigned, elected officials may adopt necessary disciplinary policies.

2. TERMINATION

Washington County is an at-will employer. Employment with Washington County may be terminated at any time by the employee or the County for any or for no reason, with or without notice. Any agreement abrogating the at-will relationship must be in writing and signed by both employee and employer.

Employees are encouraged to give two weeks' notice.

(Rev. April 13, 2000)

3. HEARING RIGHTS

A. At-Will Employee Hearing Rights:

Rule of Law: An at-will County employee should be offered: 1) a "property right" hearing if he *contends* he has a property right in employment; 2) a "liberty right" hearing if he *contends* his employment was terminated for a "bad" reason; and 3) a "name-clearing hearing" if he *contends* he has been subjected to a stigmatizing charge publicly communicated during the course of an employment termination decision.

B. Hearing Issues and Burdens of Proof:

1. Property Interest Hearings

- a. Since this county employment policy affirmatively creates at-will employment, the employee has the burden of proving by a preponderance of the evidence that he or she has a property interest in his or her employment.

- b. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving “just cause” for the supervisory official’s intended discipline or dismissal of the employee.

2. Liberty Interest Hearings

a. Claim of Arbitrary Discrimination (Unequal Treatment)

1. The grieving employee has the burden of proving by a preponderance of the evidence that he or she is being treated differently than another person otherwise similarly situated with the employee.
2. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the reason for the difference in treatment is rationally related to the effectuation of a legitimate county objective.

b. Claim of Unconstitutional Punishment

1. The employee has the burden of proving by a preponderance of the evidence that he or she has engaged in constitutionally protected conduct that was a substantial or motivating factor in any adverse employment decision, discipline, or dismissal.
2. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving that the adverse employment decision, discipline, or dismissal would have occurred even in the absence of the constitutionally protected conduct.

c. Claim of discrimination due to race, color, religion, gender, sex, age, or national origin.

1. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is being treated or affected differently than another person who, other than for race, color, religion, gender, sex, age, or national origin, is similarly situated with the applicant or the employee.
2. Where the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a

preponderance of the evidence that the proven inequality of treatment or effect is necessary to effectuate a compelling county objective.

d. Claim of Discrimination Due to a Disability

1. The grieving applicant or employee has the burden of proving by a preponderance of the evidence that he or she is a qualified individual with a disability who, because of the disability, is being treated or affected differently than another person in regard to job application, procedures, advancement, dismissal, compensation, training, or other terms, conditions, or privileges of employment.
2. Where the applicant or employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the proven difference in treatment or effect is job related and necessary to effectuate a legitimate county objective, that performance of the job cannot be accomplished by reasonable accommodation, or that the needed accommodation would result in undue hardship on the county.
3. Definitions: The following definitions apply to claims of discrimination due to a disability.
 - a. “Disabled” or “disability”: A physical or mental impairment that substantially limits one or more of the major life activities of an individual; having a record of such an impairment; or being regarded as having such an impairment.
 - b. “Regarded as having such impairment”: includes those with conditions such as obesity or cosmetic disfigurement, and individuals perceived to be at high risk of incurring a work-related injury.
 - c. “Discrimination” includes:
 - i. Limiting, segregating, or classifying a job applicant or employee in a manner that adversely affects his or her opportunities or status;

- ii. Participating in contractual or other arrangements that have the effect of subjecting individuals with disabilities to discrimination;
 - iii. Using standards, criteria, or methods of administration in such a manner that results in or perpetuates discrimination;
 - iv. Imposing or applying tests and other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, unless the test or selection criteria are job-related and consistent with county necessity;
 - v. Failing to make reasonable accommodations to the known limitations of a qualified individual with a disability unless the covered entity can demonstrate that an accommodation would impose an undue hardship on the operation of the county; or
 - vi. Denying employment opportunities because a qualified individual with a disability needs reasonable accommodations.
- d. "Reasonable accommodation" examples include:
- i. Making existing facilities used by employees readily accessible to the disabled;
 - ii. Job structuring;
 - iii. Flexible or modified work schedules;
 - iv. Reassignments to other positions; and
 - v. The acquisition or modifications of equipment or devices.
- e. "Undue hardship": an action requiring "significant difficulty or expense," considering:

- i. The overall size of the county with respect to the number of employees, number and type of facilities, and size of the budget;
 - ii. The type of operation maintained by the county including the composition and structure of the work force of that entity; and
 - iii. The nature and cost of the accommodation needed.
 - f. “Qualified individual with a disability”: an individual with a disability who, with or without reasonable accommodation, can perform the “essential functions” of the employment position held or desired.
 - g. “Essential functions”: job tasks that are fundamental but not marginal (not every job task is to be included in determining the essential functions).
 - e. Claim of a Completely Arbitrary Decision
 - 1. The grieving employee has the burden of proving by a preponderance of the evidence that the action taken against him or her is not rationally related to the effectuation of any conceivable legitimate governmental objective of the County.
 - 2. Where the employee meets his or her burden of proof, the supervisory official has the burden of proving by a preponderance of the evidence that the action taken against the grieving employee is rationally related to the effectuation of a conceivable legitimate governmental objective of the County.
3. Name Clearing Hearings
- a. The grieving applicant or employee has the burden of alleging that a “stigmatizing charge” has been publicly communicated by the county or a county official or county employee and requesting an opportunity to publicly clear his or her name.
 - b. Where the applicant, employee meets his or her burden of proof, the county shall provide the applicant or employee a public hearing opportunity to clear his or her name.

4. GRIEVANCE PROCEDURES

- A. Complaints and grievances may spring from any human relationship, and the associations of the workplace are no exception. Problems will arise for which resolution or recompense is requested and it is important to solve these problems in a fair manner as soon as possible.
- B. It is the policy of Washington County to give prompt and impartial consideration to the complaints or grievances of its employees. Employees who submit complaints or grievances in accordance with the proper procedures may do so without penalty or fear of reprisal.
- C. For the purpose of this policy, the term “complaint” shall be used to indicate the initial voicing of a problem. The term “grievance” shall be used to identify a problem brought forward in a formal written manner.
- D. To come within the scope of the grievance procedure, a problem must deal with a county-related issue and it must be concerned with the employee’s conditions of employment and may include the following:
 - 1. Poor working conditions, hours, and wages that are a violation of state or federal law;
 - 2. Unfair treatment by supervisor that is a violation of state or Federal law;
 - 3. Non-compliance with Washington County personnel policies; or
 - 4. Discrimination on the basis of race, color, religion, sex, age, national origin, political affiliation, veteran’s status, or disability.

(Rev. July 9, 1998)
(Rev. Aug 15, 2013)

E. Grievance Hearing Procedure

Caveat: The purpose of this Grievance Hearing Procedure is to establish a required procedure to resolve applicant and employee grievances, and to thereby enable the county to voluntarily conform the conduct of County officials and County employees to the requirements of County policy. If the applicant or employee does not follow this affirmatively required County grievance hearing procedure, the County will raise waiver and estoppel as affirmative defenses to any claims against the County filed by the applicant via any administrative or judicial procedures otherwise available for redress of grievances.

(Adopted October 8, 1998)

5. EMPLOYEES GRIEVANCE HEARING

A. Availability of Property Right Hearings:

1. At-will employment may be terminated by either the County or the employee at any time without prior notice, without cause, and without any property right hearing.
2. Any claim that any employee has a constitutionally protected property right in employment, entitling the employee to continued employment until “just cause” for discipline or dismissal is proved by the County at a pre-deprivation hearing, must be timely asserted in writing by the affected employee in accordance with this Employee Grievance Hearing Procedure, or the property right claim will be waived by the employee. (See Hearing Rights)

B. Availability of Liberty Right Hearings:

1. Any claim of illegal County employment discrimination on the basis of race, color, religion, gender, age, national origin, or disability or because the County is acting in a manner that is arbitrary, capricious, or unreasonable in hiring, compensation, conditions of employment, discipline or dismissal must be timely made in writing by the affected applicant or employee in accordance with this grievance hearing procedure.
2. Any claim that any employee treatment, discipline, or dismissal is unconstitutional punishment due to the employee’s exercise of a constitutionally protected “liberty right” or other constitutionally protected activity of the employee must be timely made in writing by the affected employee in accordance with this grievance hearing procedure.
3. Any claim that any employee treatment, discipline, or dismissal is contrary to the public policy of Arkansas must be timely made in writing by the affected employee in accordance with this grievance hearing procedure. (See Hearing Rights)

C. Availability of Name Clearing Hearings:

1. Any claim that any employee’s liberty interest in future employment has been damaged as a result of any “stigmatizing charge” publicly communicated by the County must be timely asserted by the affected employee in accordance with

this Employee Grievance Hearing Procedure, or it will be waived by the employee. (See Hearing Rights)

D. Availability of Hearings Generally:

1. A Grievance Hearing requested by an employee is not required to be held unless it is timely requested by the employee in the manner required by this Employee Grievance Hearing Procedure and required by the constitution or this policy.
2. Neither liberty rights nor property rights are created by this document.
3. The County may, in its discretion, hold a hearing prior to any decision or deprivation.

E. Time Requests for Formal Grievance Hearing:

1. It is the applicant's or employee's duty to request a grievance hearing.
2. The applicant or employee must timely file a written grievance hearing request after any claimed deprivation of the applicant's liberty or employee's liberty or property or any right to a hearing, or to object to the deprivation shall be waived. (See Hearing Rights)
3. The grievance hearing request should state, in writing:
 - a. the grievance for which a hearing is requested;
 - b. the factual basis of the grievance; and
 - c. the relief sought.
4. The written grievance hearing request shall be delivered to the County Grievance Committee in care of the Human Resources Administrator no later than four-thirty (4:30) p.m. on the third full business day (weekends and holidays excluded) after any claimed deprivation for which a grievance hearing is requested.
5. Any dismissal decision shall automatically be a suspension with pay for three full business days (weekends and holidays excluded) during which time the employee subject to dismissal may request a pre-deprivation hearing, in which case the suspension with pay shall continue until the conclusion of the County Grievance Committee hearing. (In no case shall a suspension with pay status extend more than 14 days, unless the suspension with pay status is extended by

decision of the County Grievance Committee). All accrued but unpaid leave time—e.g., vacation, compensatory time, etc.—will automatically run concurrent with the period of suspension with pay, unless the employee prevails in his or her grievance. Any discipline decision that will result in reduction or removal of pay or position shall automatically be deferred for three full business days (weekends and holidays excluded) during which time the employee subject to discipline may request a pre-deprivation hearing, in which case the deferral shall continue until the conclusion of the County Grievance Committee hearing.

F. Hearing Procedures:

1. NOTICE: After an employee requests a grievance hearing, the employee shall be notified of the date, time, and place of the hearing.
2. SUSPENSION WITH PAY: The grieving employee may be requested to perform duties for the benefit of the County with pay pending the outcome of the hearing.

(Revised June 11th, 2009)

3. HEARING RECORD: The hearing shall be recorded by a certified court reporter (not merely a tape recorder) for transcription upon request by either party at the expense of the elected official the grievance is filed against.
4. PROCEDURAL RULES: At the hearing, on the records, the parties shall suggest any desired hearing procedures and state any complaints regarding: a) the notice; b) the date, time, or place of the hearing; c) the opportunity to refute fairly any charges; and d) the impartiality of the decision maker(s).
5. RULES OF PROCEDURE AND EVIDENCE: Formal rules of civil procedure or rules of evidence need not be followed but may be used as a guideline by the Committee:
 - a. witnesses shall testify under oath;
 - b. parties shall be allowed, at their own expense, to obtain and use legal counsel for representation;
 - c. parties shall be allowed to obtain and use the presence of witnesses for examination, cross-examination, and rebuttal; and

- d. parties should be granted a reasonable continuance, if requested prior to the hearing in writing, and if reasonably necessary for stated reasons to prepare adequately for the hearing.
- e. Any written evidence or other written material must be received by the Human Resource Director no later than one (1) week prior to the hearing; failure to comply with this may result in the Committee's refusal to consider such.

- 1. Any written evidence or other written material must be submitted to the office of the Human Resources Director early enough for said office to reproduce such and make it available to the Grievance Committee no later than one (1) week prior to the hearing.

- 2. Any request for information in the possession of any County office or department must be made in such time as will enable the office of the Human Resources Director to gather, reproduce, and have such available for the Grievance Committee no later than one (1) week prior to the hearings.

- 3. If a request or submission appears to be irrelevant or unduly burdensome, the Chairman of the Grievance Committee shall be immediately notified, who shall be vested with the discretion to determine if the submission or request should be granted.

(Adopted Aug. 7, 2003)

(Rev. Nov. 6, 2006)

(Rev. Aug 15, 2013)

- 6. PUBLICATION: The County Grievance Committee shall hear the evidence offered by the parties, hear any argument desired by the parties, and vote without public discussion or deliberation. Only the decision, and not the factual or legal reasons therefore, shall be announced publicly. The hearing shall be held in public if so required by the F.O.I.A.; however, the employee may, at any time, decline the hearing and accept the intended discipline or dismissal.

- 7. CONFIRM IN WRITING: After the hearing, the grieving applicant or employee shall be sent a letter stating the factual and legal basis found by the County Grievance Committee for any refusal or removal of pay or position.

(Rev. June 14, 2001)

G. The Human Resource Office shall set a date for the hearing and contact the Chairperson of the Quorum Court Personnel Committee and other members of the Committee. The

Chairperson who shall preside over the hearing may designate another member of the committee or the Quorum Court to preside. In the event any member of the committee is unable to serve or cannot be contacted then the Human Resources Office shall contact other members of the Quorum Court to serve on the committee; whose name or names shall be drawn at random. If a committee cannot be empaneled then a new date shall be set for the hearing using the same procedure. The hearing may be continued by the Chairperson at the request of the grieving applicant or other interested party for good cause as determined by the chairperson or his designee.

(Revised June 11th, 2009)

(Revised Aug 15th, 2013)

If the grievance is not yet resolved by the grievance committee, the issue may be settled through the judicial system. In case of alleged discrimination, the complainant may take his or her case to the U.S. Department of Labor's Equal Employment Opportunity Commission. The employee is reminded however, that in order to maintain the right to sue under Title VII of the 1964 Civil Rights Act, the employee must carefully comply with the charge-filing requirements of the Act even while the county's grievance hearing process continues.

- H. "Nothing herein shall be construed to change the fact that employees are "at-will" employees and serve at the pleasure of the elected official as stated under Subparagraph B, Termination Section 210, page 5."
- I. Section 704(a) of the Civil Rights Act of 1964, as amended, and Section 4(d) of the Age Discrimination in Employment Act of 1967, as amended, state:

It shall be unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice, made an unlawful employment practice by this title, or because he has made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under this title.

- J. The Equal Pay Act of 1963 contains similar provisions. Persons filing charges of discrimination are advised of this Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made.
- K. **County Grievance Committee:**

The grievance committee shall be composed of the Quorum Court Personnel Committee or other members of the Quorum Court if any Personnel Committee person is unable to serve.

L. Release of Employee Grievance Records:

Public access to employee grievance records is authorized only if approved by the affected employee or authorized by the Arkansas Freedom of Information Act.

(Rev. October 8, 1998)
(Rev. October 10, 2002)
(Rev. Nov. 6, 2006)

6. EMPLOYEE GRIEVANCE FORM

RECEIVED BY HUMAN RESOURCES:

DATE	HR EMPLOYEE	POSITION
------	-------------	----------

The following is a statement of my formal grievance, which I hereby request be reviewed in accordance with the Grievance Procedures contained in the Washington County Employee Handbook.

IMMEDIATE SUPERVISOR: _____ DEPARTMENT: _____

COUNTY REGULATION OR RULE INVOLVED: _____

THE NATURE OF MY GRIEVANCE IS: _____

I DISCUSSED THIS MATTER WITH MY SUPERVISOR ON: _____

MY SUPERVISOR'S RESPONSE WAS: _____

I BELIEVE THIS RESPONSE WAS UNACCEPTABLE FOR THE FOLLOWING REASONS: _____

I BELIEVE AN APPROPRIATE RESOLUTION OF MY GRIEVANCE WOULD BE: _____

WITNESSES WHO CAN CONFIRM MY STATEMENT:

_____	_____
_____	_____
_____	_____

DATE	EMPLOYEE'S SIGNATURE
------	----------------------

If additional space is needed, please use back or attach another sheet.

(Rev. October 8, 1998)

7. PROCEDURE FOR EVIDENCE

Rules of procedure and evidence pertaining to trials and hearings, as set out below, may act as guidelines but need not be strictly adhered to.

- A. Each hearing should begin with a short summary of the proceeding by the chairman of the grievance committee.
- B. Each side shall be called upon to discuss any preliminary matters or questions, such as:
 - 1. Notice;
 - 2. The date, time and place of hearing;
 - 3. The opportunity to refute fairly any charges; and
 - 4. The impartiality of the decision makers.
- C. When it appears all parties are ready to proceed, all witnesses will be sworn and the hearing will begin.
- D. Unless waived, an opening statement shall be made first by the grievant, followed by an opening statement of the elected official.
- E. The grievant will proceed with his or her case by testifying and calling witnesses, all of whom shall be subject to cross examination by the elected official and the committee.
- F. At the rest of the grievant's case, the elected official will then present his or her case in the same manner.
- G. Closing statements will be allowed by both parties.
- H. Parties shall be allowed, at their own expense, to obtain and use legal counsel for representations.
- I. Any decision made by the committee shall be a recommendation for the elected official to give due consideration as it is recognized that each elected official has the power to hire, fire, and discipline his or her employees so long as in a manner consistent with the law.

(Adopted October 10, 2002)

8. GRIEVANCE HEARING GUIDELINES FOR PERSONNEL COMMITTEE

Chairman:

- A. "This hearing is now called to order. This committee has convened to hear the grievance of (grievant) v. (County employee).
- B. "The nature of the grievance is..." (read a brief overview from Employee Grievance Form).
- C. "Are there any issues with the notice; date, time and place of hearing; the opportunity to refute fairly any changes; or the impartiality of the decision makers?"
- D. "Are there any other preliminary matters?"
- E. "At this time, the County Clerk will swear all witnesses in. If everyone who is a witness in this grievance could please stand and be sworn in at this time."

-All witnesses are sworn in

"Thank you, you may be seated."

- F. "At this time, we will have opening statements."

-Grievant gives his/her opening statement

-County gives its opening statement

- G. *Grievant presents his/her case*

- 1. Grievant calls witnesses and presents documentary and other tangible evidence, if he or she wishes.
- 2. After County Attorney has an opportunity to cross-exam the witness, the Personnel Committee can ask questions of the witness if they so desire.

- H. *County presents its case*

- 1. County calls witnesses and presents documentary and other tangible evidence, if he or she wishes.
- 2. After Grievant's counsel/grievant has an opportunity to cross-exam the witness, the Personnel Committee can ask questions of the witness if they so desire.

- I. "At this time, we will have closing statements."

-Grievant gives their closing statement

-County gives their closing statement

J. "At this time, the Personnel Committee will retire into executive session. We will return with our final determination."

K. *Personnel Committee will deliberate and vote in closed session.*

Committee members will return, and all JPs will announce their vote individually.

Workplace Policies

1. SOUND-OFF-SYSTEM (S-O-S)

The Sound-Off-System is presented not as a way to circumvent communications between the employee and his or her supervisor, but as an available confidential alternative when, for whatever reason, it is essential that the employees have an effective way to voice work-related questions and problems, without fear of reprisal, so that action can be taken to alleviate the problem before it becomes a major issue.

1. The S-O-S forms are available from the Human Resources' Office or may be reproduced from the sample in the Washington County Employee Handbook.
2. Employees who wish to receive a personal answer must sign their name and department.
3. Completed forms should be sent to the Human Resources' Director for consideration.

(Adopted April 14, 1988)

2. SOUND-OFF-SYSTEM FORM

DATE: _____

QUESTION OR PROBLEM: _____

If additional space is needed, please continue on back.

SUGGESTED SOLUTION: _____

HAVE YOU DISCUSSED THIS WITH YOUR SUPERVISOR? _____

PLEASE SIGN IF YOU WISH TO RECEIVE A PERSONAL REPLY

(Adopted April 14, 1988)

3. GENERAL SAFETY RULES

- A. Safety rules are primarily for employee protection. Injuries impose severe burdens on employees and their families. They often result in loss of pay and can lead to permanent disability or disfigurement.

- B. These safety rules must be observed at all times and should impose no hardship on anyone. It will make Washington County a better and safer place in which to work and with whom to do business.
 - 1. Possession or use of alcoholic beverages, narcotics or dangerous drugs on County property and reporting or returning to work under the influence of same is prohibited.
 - 2. Use of prescription drugs on the advice of your physician must be reported to your supervisor if there is any possibility of the drug causing a safety hazard.
 - 3. Disorderly conduct, running, or horseplay on County premises is prohibited.
 - 4. Fighting or being involved in a fight will not be tolerated on County property.
 - 5. All injuries and accidents (including but not limited to those involving County vehicles) regardless of their severity, must be reported immediately to the employee's supervisor.
 - 6. Employees must familiarize themselves with all fire-fighting and evacuation procedures. Employees should further familiarize themselves with all exits proximate to their work area. Aisles, hallways, and fire exits must always remain open and access to fire-fighting equipment must be kept clear.
 - 7. The use of all fire extinguishers, regardless of type, must be reported to the employee's supervisor and exchanged for a full extinguisher.
 - 8. Employees shall not operate any machinery or equipment unless properly trained. Where an employee requires training to complete a job within the employee's job responsibilities, the employee shall coordinate such training with the employee's supervisor.
 - 9. Lift properly; use legs, not back. For heavier loads, ask for assistance. Observe and practice the safety procedures established for the job.
 - 10. Protective equipment and clothing, including but not limited to safety shoes, safety glasses, goggles, and hearing protection must be worn when required.

11. Employees are prohibited from wearing clothing or clothing accessories which interfere with their work responsibilities or could potentially get caught in machinery or other equipment. Employees may be prohibited from wearing items such as rings, bracelets, and necklaces that could catch or create electrical contact points in areas where such could occur. Headphones, ear buds and similar electronic listening devices are prohibited for use by employees during working hours or in County vehicles.
12. Tools, personal safety, and other equipment shall be maintained in good serviceable condition. Tools must be used in a safe manner, and should not be used where they are mushroomed, broken, or badly worn. All electrical tools must be grounded, unless they are double insulated. Broken or badly worn tools should be given to the employee's supervisor for repair or replacement.
13. Machines appearing to be electronically or mechanically unsafe must not be operated. Under such circumstances, such equipment must be locked or tagged out and the employee must notify their supervisor immediately. Employees who observe an unsafe condition are required to report it to their respective supervisor immediately.
14. Upon repairing or adjusting equipment, employees must follow safe operating procedures such as the proper use of lockouts and safe buttons. Further, the power source to such equipment must be locked or tagged out.
15. All safety procedures must be followed. All guards must be in place when machines are in operation. When starting, stopping, or changing the speed of machinery, operators must ensure proper clearance of other individuals, debris, and materials. Safety equipment shall not be rendered ineffective.
16. Waste and trash containers must be used to keep work areas clean and orderly. All gasoline and/or oil soaked rags and papers must be disposed of in approved safety containers. Where no such containers are available, employees should contact their respective supervisors.
17. All water, oil, chemicals, or grease on the floor must be removed immediately. All gasoline and other flammable liquids must be stored in approved and properly labeled safety containers at all times.
18. All stored materials must be stacked properly on a firm and even foundation. Stacks must not be allowed to reach a hazardous height, and where possible, stacks must be cross-tied or braced for mutual support. Extension or drop cords shall not be placed in areas where they will create tripping or other hazards.

19. Access to electrical breaker panels must be kept open at all times. Temporary or permanent storage or materials should be avoided within three feet of any electrical panel. Panel doors should be closed when not in use.

4. TOBACCO USE POLICY

Washington County is dedicated to providing a healthful, comfortable and protective environment for its employees and for citizens that visit County premises.

1. Tobacco use [Washington County Code 2-2.(a) in County buildings and facilities is prohibited. "Tobacco use" shall include the use of cigarettes, pipes, cigars, electronic delivery systems, electronic smoking devices and any other tobacco product which might be smoked, inhaled, chewed, dipped or otherwise come in direct contact with the mouth. Tobacco use will only be permitted outside (and not within 25 feet) and in open air buildings Washington County Code 2-2.(c)(3). Tobacco use will not be permitted where it poses a fire hazard.
2. Tobacco use will not be permitted in County owned vehicles [as defined by Washington County Code Sec. 2-2. (c)(2)].

(Rev. April 13, 2000)

5. PUBLIC SAFETY EMPLOYEE DRUG AND ALCOHOL TESTING

- A. Public safety employees are subject to testing by the county to detect the presence of controlled substances and alcohol in their body; including but not limited to:
 1. Pre-employment Testing (controlled substances only)
 2. Reasonable Suspicion Testing
 3. Random Testing
 4. Post-accident Testing (mandatory)
- B. Public safety employees subject to testing shall include only employees whose duties require them to:
 1. Maintain a commercial driver's license.
 2. Carry a firearm, or otherwise perform law enforcement functions, including with or supervision of juveniles, or
 3. Routinely operate an emergency vehicle (one equipped with siren and red or blue lights) in order to lawfully carry out their duties.

4. Routinely perform repair and maintenance on heavy road equipment or vehicles.
(Rev. June 8, 2006)
- C. The Drug and Alcohol Testing Procedures required by the U.S. Department of Transportation (the Rules) shall be the procedures followed by the County, which procedures shall be applicable to holders of commercial driving licenses (CDLs).
- D. Upon the County's adoption of this policy, or at the point of hiring, each county employee shall certify in writing that:
1. The employee has been informed of and understands his or her obligations under the County's drug and alcohol testing policy and the drug and alcohol regulation of the U.S. Department of Transportation;
 2. The employee understands that the use or possession of alcohol in any form is prohibited in the workplace, and that there are restrictions on alcohol use for a period prior to reporting for work and after an accident;
 3. The employee understands that the possession or use of unauthorized or illegal drugs is prohibited at any time whether in the workplace or not; and
 4. The employee understands that, as a condition of employment, the employee must submit to a collection of breath, urine, blood, and/or saliva samples when requested by the County employer or contractor acting for the County employer and, also, that the employee may be subject to drug and alcohol testing in other circumstances including, but not limited to post-accident and when the employer has reasonable suspicion to believe the driver has engaged in prohibited actions concerning controlled substances or alcohol.
- E. Drug and alcohol testing will be administered to the employees in the circumstances and in the manner mandated by the Rules.
- F. Reasonable suspicion means suspicion based upon the actions or appearance or conduct of the employee which are indicative of the use of alcohol or a controlled substance. (Section 391.85 – Federal Motor Carriers Safety Regulations).
(Rev. April 14, 2005)
- G. The following shall result in immediate discharge;
1. Refusal to take a mandated test for drugs or alcohol;
 2. A positive drug test result, once the time limit for requesting a second test of a split sample has expired, or upon receipt of a positive drug test result from the second test; or

3. A positive alcohol test result in violation of the rules and standards of the U.S. Department of Transportation.
(Rev. August 30, 2005)

- H. Employees whose initial drug test results are positive and who request a test of the second portion of the split sample will be suspended without pay until such time as the County's "Designated Representative" receives the results of the second (split sample) test. Such second test will be paid by the employer to be reimbursed to the County by the employee. The County shall withhold from the employee's paycheck the cost of the second (split sample) test to reimburse the County. A negative result from the second (split sample) drug test will render the first test invalid and the employee will be reinstated with back pay and reimbursement for the costs of the second test.
- I. An employee suspected of unlawful use of drugs or abuse of alcohol while on duty, as established by the Rules, or who is involved in an accident as defined in 49 CFR 390.4 (and receives a citation for a moving traffic violation in this section) by the Rules, shall be suspended immediately with pay until the results of the drug or alcohol test are received by the County's "Designated Representative."

(Adopted October 8, 1998)
(Rev. August 8, 2002)

6. OTHER EMPLOYEES DRUG AND ALCOHOL TESTING

All other County employees shall be subject to Reasonable Suspicion drug and alcohol testing.

(Rev. Dec. 8, 2005)

ORDINANCE NO. 2018-51

APPROPRIATION ORDINANCE

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

FILED
2018 NOV 20 PM 3:24
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR


AN ORDINANCE ANTICIPATING ADDITIONAL
REVENUE OF \$10,000 IN THE LAW
ENFORCEMENT GRANT FUND FOR 2018; AND
APPROPRIATING \$10,000 FROM THE LAW
ENFORCEMENT GRANT FUND TO THE ADR
GRANT BUDGET FOR 2018.

WHEREAS, Washington County has been awarded a \$10,000
grant for use to facilitate Alternative Dispute Resolutions for 2018/2019.

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

ARTICLE 1. There is hereby anticipated additional revenue of
\$10,000 in the State Grants Revenue Line Item of the Law Enforcement Grant Fund (3514-
7010) for 2018.

ARTICLE 2. There is hereby appropriated the amount of
\$10,000 from the Law Enforcement Grant Fund to the Special Legal Line Item in the ADR Grant
Budget (35140497-3005) for 2019.



JOSEPH K. WOOD, County Judge

11.20.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: November 15, 2018
Votes For: 11 Votes Against: 0
Abstention: 0 Absent: 4

ORDINANCE NO. 2018-52

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

2018 NOV 20 PM 3:24

FILED

APPROPRIATION ORDINANCE

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

AN ORDINANCE ANTICIPATING REVENUES OF \$76,000 IN THE ARKANSAS HERITAGE PRESERVATION PROGRAM (AHPP) GRANT FUND (3518-0630); AND, APPROPRIATING \$76,000 TO VARIOUS LINE ITEMS IN THE AHPP BUDGET FOR 2018.

WHEREAS, Washington County has received a \$76,000 grant from the Arkansas Heritage Preservation Program for various restoration projects at the Historic Washington County Courthouse.

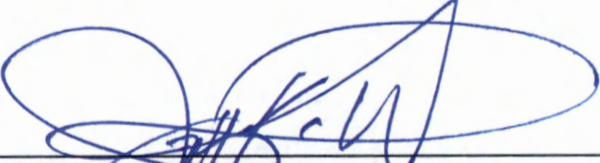
NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT OF WASHINGTON COUNTY, ARKANSAS:

ARTICLE 1. There is hereby anticipated revenue of \$76,000 in the AHPP Grant Fund (3518-0630) for 2018.

ARTICLE 2. There is hereby appropriated the amount of \$76,000 from the AHPP Grant Fund to the following line items in the AHPP Grant Fund for 2018:

General Supplies	(35180630-2001)	\$ 2,000.00
Small Equipment	(35180630-2002)	2,000.00
Building Materials and Supplies	(35180630-2020)	12,000.00
Parts & Repairs	(35180630-2023)	2,000.00
Lumber & Pilings	(35180630-2028)	3,000.00
Bridges & Steel	(35180630-2031)	15,000.00
Other Professional Services	(35180630-3009)	35,000.00
Rent-Machinery & Equipment	(35180630-3071)	<u>5,000.00</u>


TOTAL APPROPRIATION \$76,000.00



JOSEPH K. WOOD, County Judge

11.20.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Bill Usisery
Date of Passage: November 15, 2018
Votes For: 11 Votes Against: 0
Abstention: 0 Absent: 4

ORDINANCE NO. 2018-53

2018 NOV 20 PM 3:25
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

APPROPRIATION ORDINANCE

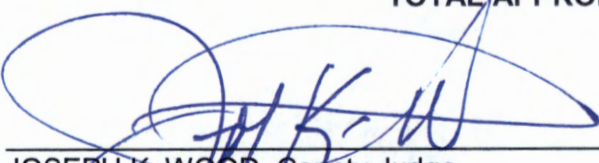
BE IT ENACTED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:

**AN ORDINANCE ANTICIPATING ADDITIONAL
REVENUES OF \$827,951 IN THE DEM GRANT
FUND; AND APPROPRIATING THE AMOUNT OF
\$827,951 FROM THE DEM GRANT FUND TO
VARIOUS HOMELAND SECURITY BUDGETS FOR
2018.**

ARTICLE 1. There is hereby anticipated additional revenue in
the amount of \$827,951 in the Homeland Security Grants Revenue Line Item of the DEM Grant
Fund (3511-7105) for 2018.

ARTICLE 2. There is hereby appropriated the amount of
\$827,951 from the DEM Grant Fund to the following line items in the following budgets for 2018:

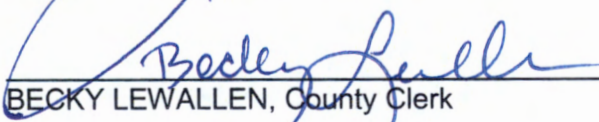
<u>USAR 2018</u>		
Small Equipment	(35110566-2002)	\$ 20,190.20
Parts and Repairs	(35110566-2023)	23,190.20
Training and Education	(35110566-3101)	46,190.20
Machinery and Equipment	(35110566-4004)	40,190.20
Vehicles	(35110566-4005)	<u>216,190.20</u>
		\$ 345,951.00
 <u>CBRN/WMD 2018</u>		
Small Equipment	(35110567-2002)	\$ 58,750.00
Parts and Repairs	(35110567-2023)	58,750.00
Training and Education	(35110567-3101)	58,750.00
Machinery and Equipment	(35110567-4004)	<u>58,750.00</u>
		\$ 235,000.00
 <u>SWAT 2018</u>		
Small Equipment	(35110565-2002)	\$ 82,995.00
Parts and Repairs	(35110565-2023)	20,444.00
Training and Equipment	(35110565-3101)	52,444.00
Machinery and Equipment	(35110565-4004)	<u>91,117.00</u>
		\$ 247,000.00
TOTAL APPROPRIATION		<u>\$ 827,951.00</u>



JOSEPH K. WOOD, County Judge

11-20-2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: November 15, 2018
Votes For: 11 Votes Against: 0
Abstention: 0 Absent: 4

ORDINANCE NO. 2018-54

FILED

2018 NOV 20 PM 3:25

BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO., AR

APPROPRIATION ORDINANCE

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

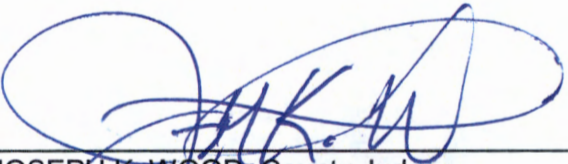
**AN ORDINANCE ANTICIPATING AN ADDITIONAL
\$150,000 IN THE RURAL COMMUNITY GRANT
FUND (3503); AND APPROPRIATING \$150,000
FROM THE RURAL COMMUNITY GRANT FUND
TO THE BRIDGES AND STEEL LINE ITEM IN THE
PARKER BRANCH ROAD BRIDGE MITIGATION
PROJECT (35030627-2031) FOR 2018.**

WHEREAS, Washington County will receive an ADEM \$150,000 matching grant for a mitigation project on the Parker Branch Road bridge.

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

ARTICLE 1. There is hereby anticipated additional revenue in the amount of \$150,000 in the Rural Community Grant Fund (3503) for 2018.

ARTICLE 2. There is hereby appropriated the amount of \$150,000 from the Rural Community Grant Fund (3503) to the Bridges and Steel line item in the Parker Branch Road Bridge Mitigation Project (35030627-2031) for 2018



JOSEPH K. WOOD, County Judge

11.20.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: November 15, 2018
Votes For: 11 Votes Against: 0
Abstention: 0 Absent: 4

ORDINANCE NO. 2018-55

APPROPRIATION ORDINANCE

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

2018 NOV 20 PM 3:25
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. ARK.

FILED

AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$325,000 IN THE DRUG COURT GRANT FUND; AND APPROPRIATING THE AMOUNT OF \$325,000 FROM THE DRUG COURT GRANT FUND TO THE SAMHSA 2018/2019 GRANT BUDGET FOR 2018.


ARTICLE 1. There is hereby anticipated additional revenue of \$325,000 in the Other Federal Grants Revenue Line Item of the Drug Court Grant Fund (3513-7109) for 2018.

ARTICLE 2. There is hereby appropriated the amount of \$325,000 from the Drug Court Grant Fund to the following Line Items of the SAMHSA 2018/2019 Grant Budget for 2018:

SAMHSA 2017/2018

Salaries, Part-Time 0492500 (35130492-1002)	\$ 29,251
Social Security Matching (35130492-1006)	2,237
Noncontributory Retirement (35130492-1008)	4,315
Health Insurance Matching (35130492-1009)	5,592
Life Insurance (35130492-1016)	132
General Supplies (35130492-2001)	4,000
Medical/Dental/Hospital (35130492-3006)	197,854
Other Professional Services (35130492-3009)	69,667
Common Carrier (35130492-3031)	2,890
Meals and Lodging (35130492-3094)	5,762
Training/Education (35130492-3101)	<u>3,300</u>

TOTAL APPROPRIATION: \$ 325,000



JOSEPH K. WOOD, County Judge

11.20.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: November 15, 2018
Votes For: 11 Votes Against: 0
Abstention: 0 Absent: 4

ORDINANCE NO. 2018-56

APPROPRIATION ORDINANCE

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

FILED
2018 NOV 20 PM 3:25
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

AN ORDINANCE ANTICIPATING AN ADDITIONAL \$929,999.82 IN THE BRUSH CREEK ROAD BRIDGE FUND (3400 0204) OF THE FEMA GRANT FUND; AND APPROPRIATING \$929,999.82 FROM UNAPPROPRIATED RESERVES OF THE ROAD FUND TO THE FOLLOWING LINE ITEMS IN THE ROAD DEPARTMENT BUDGET (2000 0200) FOR 2018.

WHEREAS, Washington County anticipates a FEMA Grant Award totaling \$929,999.82 for a reconstruction project on the Brush Creek Road Bridge.


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

ARTICLE 1. There is hereby anticipated additional revenue in the amount of \$929,999.82 in the Brush Creek Road Bridge Fund (3400 0204) of the FEMA Grant Fund for 2018.

ARTICLE 2. There is hereby appropriated the amount of \$929,999.82 from Unappropriated Reserves in the Road Fund (2000) to the following line items in the Road Department Budget (20000200) for 2018:

Engineering and Architectural	(20000200-3004)	\$ 41,300.00
Other Professional Services	(20000200-3009)	<u>888,699.82</u>

TOTAL APPROPRIATION **\$ 929,999.82**



JOSEPH K. WOOD, County Judge

11.20.2018

DATE



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: November 15, 2018
Votes For: 11 Votes Against: 0
Abstention: 0 Absent: 4

ORDINANCE NO. 2018-57

APPROPRIATION ORDINANCE

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

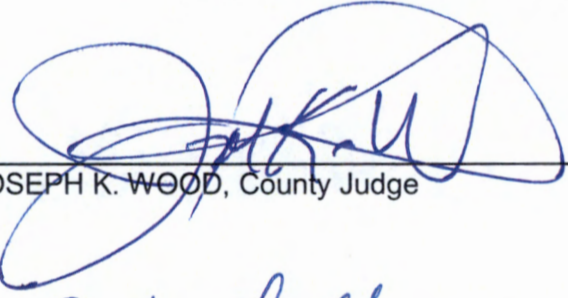
2018 NOV 20 PM 3:25
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

FILED

AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF \$330,000.00 IN THE ROAD FUND 2000 AND TRANSFERRING \$330,000.00 FROM THE ROAD FUND 2000 TO THE FEMA FUND 3400 AND APPROPRIATING \$330,000.00 TO THE 2018 FEMA 2017 FLOOD BUDGET (3400 0202) FOR 2018.

ARTICLE 1. There is hereby anticipated additional revenue of \$330,000.00 in the FEMA Revenue Line Item of the FEMA Fund (3400-7104) for 2018.

ARTICLE 2. There is hereby appropriated the amount of \$330,000.00 from the FEMA Fund to the Other Professional Services line item in the 2018 FEMA 2017 Flood Budget (34000202-3009) for 2018.



JOSEPH K. WOOD, County Judge

11.20.2018
DATE



BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
Date of Passage: November 15, 2018
Votes For: 11 Votes Against: 0
Abstention: 0 Absent: 4

ORDINANCE NO. 2018-58

FILED
2018 NOV 20 PM 3:25
BECKY LEWALLEN
CO. & PROBATE CLERK
WASHINGTON CO. AR

APPROPRIATION ORDINANCE

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

**AN ORDINANCE RECOGNIZING ADDITIONAL
REVENUES OF \$19,676.00 AND
APPROPRIATING ADDITIONAL REVENUES
OF \$19,676.00 IN GENERAL FUND – SHERIFF
WORK RELEASE**

ARTICLE 1. There are hereby recognized additional revenues
in the following revenue line items for 2018:

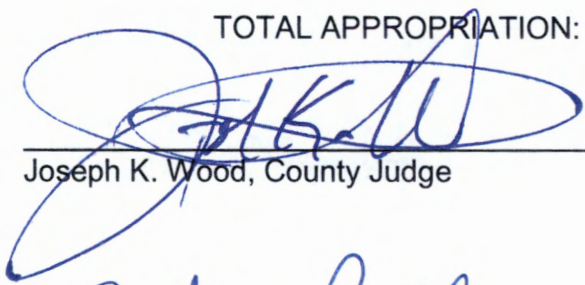
<u>General Fund:</u>	
Sheriff Work Release-Comm Serv (1000-7607)	12,660
Inmate Litter Pickup (1000-7018)	7,016

TOTAL REVENUES: \$ 19,676


ARTICLE 2. There are hereby appropriated the total amount
of \$19,676 from the various County Funds to line items in the following budgets for 2018:

<u>General Fund/Sheriff Work Release:</u>	
Small Equipment (10000428-2002)	4,676.00
Capital Machinery & Equipment (10000428-4004)	15,000.00

TOTAL APPROPRIATION: \$ 19,676



Joseph K. Wood, County Judge



BECKY LEWALLEN, County Clerk

Date 11.20.2018

Sponsor: Bill Ussery
Date of Passage: November 15, 2018
Votes For: 11 Votes Against: 0
Abstention: 0 Absent: 4

ORDINANCE NO. 2018-59

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 NOV 20 PM 3:25

FILED

AN ORDINANCE TO CHANGE THE TITLES OF PERSONNEL POSITIONS IN THE SHERIFF AND JAIL BUDGETS FOR 2018; APPROPRIATING THE AMOUNT OF \$4,720.56 FROM THE GENERAL FUND TO THE SHERIFF-ENFORCEMENT BUDGET FOR 2018; AND APPROPRIATING THE AMOUNT OF \$541.25 FROM THE JAIL FUND TO THE SHERIFF-JAIL BUDGET FOR 2018;

ARTICLE 1. The following titles of (33) personnel positions are changed for 2018:

Personnel Position of Executive Assistant/Admin, Grade 17 (Slot 0418109) in the Sheriff-Jail Budget of the Sales Tax Fund (30170418) is hereby changed to Fiscal and Administrative Manager, Grade 20, for 2018.

Personnel Position of Civil Process Bookkeeper, Grade 16 (Slot 0418110) in the Sheriff-Jail Budget of the Sales Tax Fund (30170418) is hereby changed to Civil Process Bookkeeper Supervisor, Grade 17, for 2018.

Personnel Position of Evidence Coordinator, Grade 15 (Slot 0418108) in the Sheriff-Jail Budget of the Sales Tax Fund (30170418) is hereby changed to Evidence Manager, Grade 15, for 2018.

Personnel Position of Property Assistant, Grade 10 (Slot 0418116) in the Sheriff-Jail Budget of the Sales Tax Fund (30170418) is hereby changed to Property Manager, Grade 11, for 2018.

Personnel Position(s) of Records Clerk/Secretary, Grade 9 (Slots 0418111 and 0418117) in the Sheriff-Jail Budget of the Sales Tax Fund (30170418) is hereby changed to Warrants/Records Clerk, Grade 9, for 2018.

Personnel Position of Animal Control Officer – Civilian, Grade 13 (Slots 0400185, 0400186) in the Sheriff-Enforcement Budget of the General Fund (10000400) is hereby changed to Civilian Animal Control Officer, Grade 13, for 2018.

Personnel Position of Dispatch Manager, Grade 21 (Slot 040090) in the Sheriff-Enforcement Budget of the General Fund (10000400) is hereby changed to 911 Communications Director, Grade 23, for 2018.

Personnel Position(s) of Lead Dispatcher, Grade 16 (Slot 040091, 040092, 040093) in the Sheriff-Enforcement Budget of the General Fund (10000400) is hereby changed to 911 Communications Specialist Supervisor, Grade 17, for 2018.

Personnel Position(s) of Dispatcher, Grade 12 (Slots 040094 through 0400110) in the Sheriff-Enforcement Budget of the General Fund (10000400) are hereby changed to 911 Communications Specialist, Grade 14, for 2018.

Personnel Position(s) of Secretary/Receptionist, Grade 8 (Slots 040041, 040042, 040043) in the Sheriff-Enforcement Budget of the General Fund (10000400) are hereby changed to Warrants/Records Clerk, Grade 9, for 2018.

Personnel Position of Sergeant/Training Officer, Grade 20 (Slot 040037) in the Sheriff-Enforcement Budget of the General Fund (10000400) is hereby changed to Sergeant, Grade 20, for 2018.

ARTICLE 2. There is hereby appropriated the total amount of \$4,849.54 from the General Fund to the following line items and slots in the Sheriff-Enforcement Budget 2018:

Salaries, Full-time, Slot(s) (10000400-1001): 1000.0400.90 \$ 675.59

1000.0400.94	254.40
1000.0400.95	93.60
1000.0400.96	189.60
1000.0400.97	254.40
1000.0400.98	254.40
1000.0400.99	254.40
1000.0400.100	254.40
1000.0400.101	254.40
1000.0400.102	254.40
1000.0400.103	266.40
1000.0400.104	333.60
1000.0400.105	254.40
1000.0400.47	117.60
1000.0400.42	112.80
1000.0400.43	14.40

Social Security Matching (10000400-1006)	293.67
Non-Contributory Retirement (10000400-1008)	588.10


TOTAL APPROPRIATION: \$4,720.56

ARTICLE 3. There is hereby appropriated the total amount of \$4,182.22 from the Jail Fund to the following line items and slots in the Sheriff-Jail Budget for 2018:

Salaries, Full-time, Slot(s) (30170418-1001):	3017.418.109	264.95
	3017.418.110	175.20

Social Security Matching (10000400-1006)	33.67
Non-Contributory Retirement (10000400-1008)	67.43

TOTAL APPROPRIATION: \$ 541.25



 JOSEPH K. WOOD, County Judge

11.20.2018

 DATE



 BECKY LEWALLEN, County Clerk

Sponsor: Bill Ussery
 Date of Passage: November 15, 2018
 Votes For: 11 Votes Against: 0
 Abstention: 0 Absent: 4