



WASHINGTON COUNTY, ARKANSAS
County Courthouse

MEETING OF THE
WASHINGTON COUNTY QUORUM COURT
JAIL/LAW ENFORCEMENT/COURTS COMMITTEE

Monday, March 11, 2019
Immediately following Personnel Meeting
Washington County Quorum Court Room

Judith Yanez
Patrick Deakins
Sam Duncan

Chair Lance Johnson

Shawndra Washington
Vice-Chair Willie Leming
Ann Harbison

AGENDA

1. CALL TO ORDER AND WELCOME

2. ADOPTION OF AGENDA

At the beginning of each meeting, the agenda shall be approved. Any JP may request an item be added or removed from the agenda subject to approval of the Committee.

REPORTS

3. JUVENILE DETENTION

- 2018 Annual Report **(3.1)**
- Monthly Statistics Report **(3.2)**

4. SHERIFF'S OFFICE

- Enforcement Activity Report **(4.1)**
- Detention Activity Report **(4.2)**
- Pre-Trial vs Total Bed Count **(4.3-4.4)**

UNFINISHED BUSINESS

5. PRESENTATION ON PROPOSED JAIL EXPANSION – SHERIFF TIM HELDER

6. AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE-FOURTH OF ONE PERCENT (0.25%) SALES AND USE TAX WITHIN WASHINGTON COUNTY, ARKANSAS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO **(6.1)**

7. AN ORDINANCE CALLING A SPECIAL ELECTION IN WASHINGTON COUNTY, ARKANSAS ON THE QUESTION OF LEVYING A COUNTY-WIDE ONE-FOURTH OF ONE PERCENT (0.25%) SALES AND USE TAX; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO (7.1)

8. AN ORDINANCE CALLING A SPECIAL ELECTION IN WASHINGTON COUNTY, ARKANSAS ON THE QUESTIONS OF ISSUING BONDS UNDER AMENDMENT NO. 62 TO THE CONSTITUTION OF THE STATE OF ARKANSAS FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COST OF CAPITAL IMPROVEMENTS; LEVYING A NEW ONE-HALF OF ONE PERCENT (0.5%) SALES AND USE TAX FOR THE PURPOSE OF RETIRING SUCH BONDS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO (8.1)

9. **NEW BUSINESS**

10. **PUBLIC COMMENT**
Twelve-minute comment period with a three-minute limit for each individual to comment on items on the agenda or other items.

11. **ADJOURNMENT**



2018

ANNUAL REPORT

Washington County Juvenile Justice
Center

Regional Juvenile Center

885 Clydesdale Drive,

Fayetteville, AR 72701

Phone: (479) 444-1670





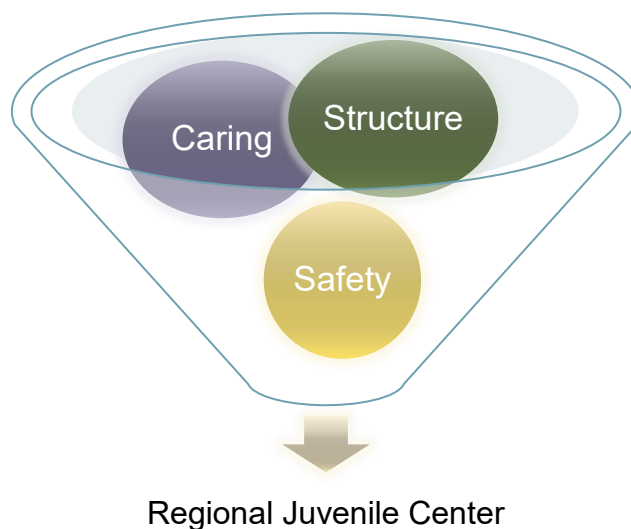
Mission Statement

THE PURPOSE OF THE REGIONAL JUVENILE CENTER IS TO PROVIDE A SECURE, SAFE, AND CARING ENVIRONMENT FOR JUVENILES CHARGED WITH DELINQUENT OR CRIMINAL OFFENSES.

VALUES

C.A.S.E. – CREATING A SUCCESSFUL ENVIRONMENT

C.A.S.E. WAS DEVELOPED TO PROVIDE A SAFE AND SECURE ENVIRONMENT, ENHANCE POSITIVE LIFE SKILLS AND GAIN THE COOPERATION AND COMPLIANCE OF YOUTH WHILE IN DETENTION. THE GOAL IS TO ENCOURAGE POSITIVE INTERACTION WITH STAFF AND PEERS.



Definitions

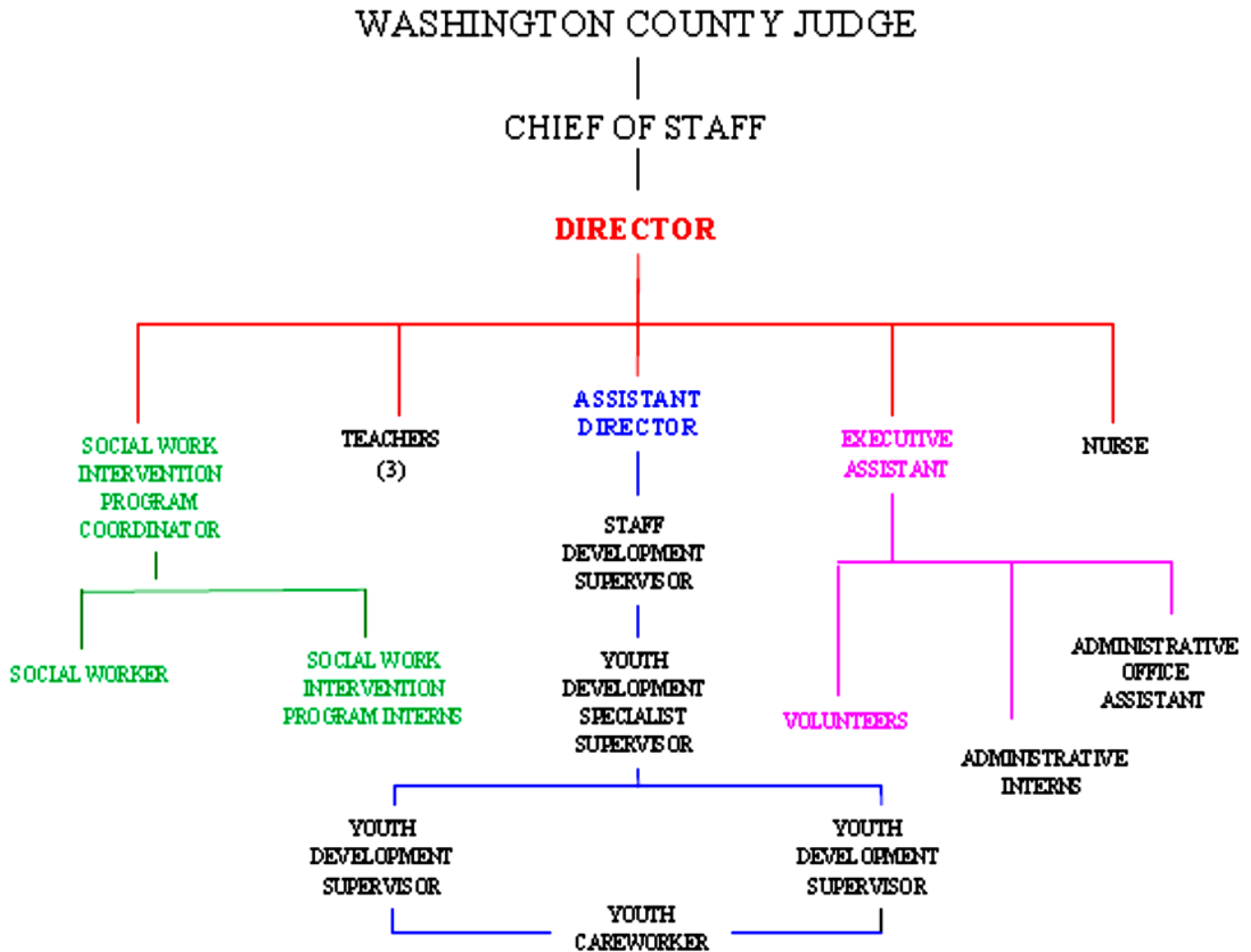
- ◆ **Secure** – *All entrances and exits shall be controlled by the staff. At no time will a juvenile be allowed to exit the building unaccompanied by a staff person unless that juvenile has been released at the direction of the detaining Court.*

- ◆ **Safe** – *No juvenile in the care of the Regional Juvenile Center is to be abused (physically, sexually, or psychologically) by any resident, staff person, or visitor.*

- ◆ **Caring** – *The staff shall make every effort to assure that the juvenile is free from medical or dental disorders; is properly fed; receives a proper amount of rest; has clean clothing and bedding; is allowed to exercise; and, is offered appropriate educational, counseling, religious, and recreational opportunities. Additionally, the staff shall treat each juvenile with respect and courtesy.*

WASHINGTON COUNTY REGIONAL JUVENILE CENTER
JUVENILE DETENTION
885 Clydesdale Drive
Fayetteville, AR 72701

ORGANIZATIONAL CHART



JUVENILE DETENTION CENTER

2018 STATISTICAL INFORMATION

Intakes	465
Days of Detention	6,876
Average Age	15.49
Average Stay	14.79

Top Ten Reasons for Detention Ranked by # of Intakes

<u>Offense</u>	<u># Intakes</u>
1) Probation Violation	Misdemeanor 64
2) Battery-3	Misdemeanor 48
3) Theft By Receiving	Felony 44
4) Violation of Terms & Conditions	No Charge 40
5) Controlled Substance Violation	Misdemeanor 38
6) Probation Violation	Felony 37
7) Fleeing	Felony 29
8) Theft of Property	Felony 23
9) Controlled Substance Violation	Felony 23
10) Theft of Property	Misdemeanor 20

Intakes by Court of Jurisdiction

COURT	# INTAKES
Interstate Compact	11
Juvenile	452
Circuit/Adult Charged	16
Municipal	1

JUVENILE DETENTION CENTER

Statistical Comparisons

YEAR	# OF INTAKES	# OF DAYS DETENTION	% OF DETENTION DAYS USED BY WASHINGTON COUNTY
2014	453	3,738	96.5%
2015	485	4,227	96%
2016	508	4,745	94.96%
2017	505	6,462	99.24%
2018	465	6,876	98.94%

REVENUES

- ◆ Charges to Counties for the Detention of Juveniles \$92.00 day

County	2017	2018
Madison	\$ 4,416.00	\$ 6,164.00
Faulkner		\$368.00
Little River	\$92.00	
Crawford	\$552.00	
Year Total	\$5,060.00	\$6,532.00

COCA COLA MACHINE - \$142.94

Staff over-tipping- \$0.66

SYSCO GROCERY- \$268.93 (class action settlement)

Student Intern, Volunteer Program and Contributions

The Center has had a volunteer program since 1985. All volunteers complete a written application and their background is checked through the *Child Abuse and Neglect*

Registry. Volunteers are required to complete orientation training prior to working with the residents.

The agencies, and or individuals that participated in this program in 2018 are as follows: The Duggar home church group *2 hours a month* for a total of 24 hours in 2018. The Washington County Sheriff's Chaplain's Program frequently visits the youth logging over 48 hours. Mr. David Furr has provided haircuts to the residents on a weekly basis for 15 years free of charge. Ms. Victoria Kuru also provided haircuts with a focus on ethnic hair-cuts. Without their generosity, the County would be responsible to provide this service as per Juvenile Standards. We are most appreciative for their continued gift of service. They provide these services weekly as needed. "Into The Light" an organization that deals with sex trafficking in our State visit the youth weekly. Gretchen Smeltzer and her Team of trained professionals conduct workshops with our detention and court staff to assist in recognizing victims of this ever growing issue as well as offering support, counseling, information and resources to young woman who have fallen prey to these abusers. All workshops and visits to youth are free of charge. The group has logged over 86 hours of service in 2018. This group also works closely with Juvenile Court.

Other volunteers/Services:

- Crystal Bridges – Provided two 2 hours workshops a month, totally over 24 hours of hands on art projects.
- The U of A WITS (Writers in the Schools) provided 2 workshops in poetry writing instruction. Youth that participated poems were selected to be published in their annual poetry publication & each youth was provided with a copy of this book
- Arkansas Game & Fish Association provided 6 hours of instruction on various instructions concerning wildlife, fishing & land preservation
- Raul Rodriquez provided several workshops in the instruments of boxing
- Jaqualine Silva with U of A division of Agriculture provided 6 hours of nutrition and food preparation. Each student received a certificate upon completing the

In addition to volunteers, the facility has also received donations from organizations and individuals in the form of books, videos, food, educational pamphlets and prizes for the **FINS (Fishing in the Natural State)** fishing derbies. A private individual donated a weight machine to our physical education department. The Quorum Court generously donated money to provide a holiday meal for residents & staff on Christmas day and New Year's Eve. C & C Services provided the Thanksgiving meal to both residents and staff. Donations in 2018 exceeded \$ 2,500.00.

As you can see, we are extremely fortunate to be blessed with the numerous individuals and groups that have so selflessly given to our youth in numerous forms with the hope

of positively touching the lives of these young adults. We continue to have people on a waiting list to offer their services. On an added note, we do not seek out these services! What a wonderful community we live in!

Tours

The Detention Center has open tours for the public on *Thursdays between 3:30 & 4:00 p.m.* These tours are an attempt to educate those interested or ordered by the Juvenile Court Judge or Court Staff on what Juvenile Detention is. For the year 2018, 28 youth toured with 30 parents/guardians. 280 interested community members also toured the facility.

Interested individuals and groups are encouraged and welcome to tour the facility, however, we do not allow school classes to tour during the course of the school day. The residents are in their individual sleeping rooms during tours for reasons of confidentiality. They are required to attend 6 hours of school per day in detention, therefore, that would disrupt the mandated education program. We discourage anyone under the age of 10 to engage in these tours. Statistics maintain that introducing a child to an environment such as this, increases their chances of becoming part of the judicial system. Appropriate preventative education is suggested. Arkansas does not participate in the SCARED STRAIGHT PROGRAMS as these such programs have proven to be damaging.

State Grant-In-Aid Program

The Juvenile Detention **GRANT-IN-AID PROGRAM (G.I.A.)** began in July 1989. Grant supervision and funding is through the **DEPARTMENT OF FINANCE & ADMINISTRATION.**

The purpose of the *G.I.A.* is to provide juvenile detention centers with funds to upgrade programming, pay salaries, purchase materials, and make approved repairs. A stipulation of this grant is that *G.I.A.* funds **are not be used to supplement county funds.**

Up until 1997, the Center received \$50,000.00 per year through this program. In 1998, the formula for funding was changed and the amount received was \$24,138.00. The later of 1998, WCJDC increased bed space from 14 to 16 which increased the award to \$27,826.00. Information was received from the **DIVISION OF YOUTH SERVICES** to expect about a one-third decrease in the amount for our 1999 award. The Center received an award of \$23,022.00 for 1999. In 2000, a new Juvenile Justice Facility was constructed with 36 beds giving the facility a grant award of \$28,400.00, which again is a decrease from previous years. In 2001, the facility again received an award amount of \$28,400.00. The same amount was received for 2002, 2003 and 2004. In 2005, \$ 29,998.00 was received. The \$ 1,598.00 addition is due to funds left over from the 10th Judicial Juvenile facility closing a few years ago. \$29,998.00 was received for 2006 and \$35,063.00 for grant year 7/1/07 – 6/30/08. Since July of 2008, the award has continued to be \$31,167.00.

Education Program

In 1987, **WASHINGTON COUNTY** contracted with the **FAYETTEVILLE SCHOOL DISTRICT** to provide educational services to the Center's residents. The teacher was paid at the substitute teacher level and the County supplemented the teacher's income.

In 1995, the cost of the teacher's salary was equally split between the **FAYETTEVILLE SCHOOL DISTRICT** and **WASHINGTON COUNTY**. Educational materials were purchased by the County to support the program.

In 1996, the Department of Education provided grants to the local school districts that served JDC's in the state.

A formula was developed based on the number of beds and total amount of grant funds available. A portion of the teacher's salaries are funded through this grant and the County pays the remaining balance to the local school district.

Today's current educational program is endorsed and monitored by the **ARKANSAS DEPARTMENT OF EDUCATION**. The basic curriculum involves attempting to maintain the student's current status in the school system as well as utilization of GED preparation materials. Student educational material from their current educational setting is encouraged and welcomed by the teaching staff. Students that utilize Chrome Books in their originating schools, may continue that form of education while in detention.

Students began using the newly constructed classroom in August of 2012 and have benefited tremendously with interactive classroom instruction through the use of a Smart-board. This area also affords the residents the opportunity to participate in group workshops led by various different agencies and individuals, whereas in the past due to limited space, we were not able to provide this opportunity.

An additional educational component of our school program involves a mandatory fitness workout for all detention youth who have satisfied an activity medical screening. These students participate in a various array of physical activities which are led and monitored by a certified physical education teacher.

The Washington County JDC educational program would like to participate in virtual school eventually.

The mission of the *FAYETTEVILLE SCHOOL DISTRICT* is to provide a rigorous and relevant education in which all students gain the academic and personal skills needed for lifelong learning and success. In conjunction with their mission, our education department continues to promote a well-rounded program for our students which, in turn, will reflect the importance of building a healthier America, both intellectually and physically.

Medical Services

Residents' parent or guardian, must sign a "*Consent for Medical Treatment*" form when their children are placed at the Center. This consent allows for the immediate medical treatment in the event of an accident or illness. Additionally, the signing of the form obligates parents to be responsible for the cost of the medical care provided to their

children. This procedure significantly reduces the expense of medical care. Total cost for prescription medications paid out of County funds for residents in 2018 was \$ 0.

The Center contracts with a nurse to complete a medical screening on all residents within 24 hours of their arrival. If a resident arrives at the Center with an injury or illness, the nurse will respond immediately or refer to the emergency room. The nurse also completes regularly scheduled sick calls and is on call for medical emergencies 24/7. Parents/guardians may also use their primary care physicians when necessary. This also includes dental care and vision care. The Washington County Sheriff's Department provides medical services to the adult charged youth.

Training

In 2018 the Center's employees received approximately 600.25 hours of training. Juvenile detention staff are **required** to complete 40-hours of in-service training the first year of employment, and 16 hours of continuing education annually, mandated as per the Arkansas Juvenile Standards. Please see our web page for a list of all mandated training listed under Juvenile Detention Facility Standards.

The Center also provides structured activities for the youth conducted by the detention staff or other agencies. Over 300 hours were logged in providing activities/workshops to the youth. The activities included CPR/First Aid, Life Skills, Nutrition, Alcohol Tobacco & Drug Prevention/Awareness, Robotics, anger management, environment sustainability, preparing for a job interview/the interview process, Painting with a Purpose workshops and yoga classes are among the numerous topics.

Juvenile Detention Standards

Arkansas standards for juvenile detention centers were put into place in 1992. The Jail Review Board inspected the center for compliance in November of 2018. The facility was found to be in compliance and no corrective actions were required. A copy of this inspection can be found on the JDC webpage.

The Division of Youth Services also conducts an annual audit. No deficiencies were found for Washington County JDC in 2018. This information may also be located on the JDC webpage.

Juvenile Standards were revised and updated and finalized December 2014 with the assistance of Danny Hickman (Jail Standards), in coordination with the AJDA (Arkansas Juvenile Detention Association) Denyse Collins President of the Association that year and Jean E. Mack, co-founder of AJDA and past 3 terms President of the Association.

Highlights For 2018

- Provided clinical services to an estimated 70% of detained youth, with an estimated 75% of youth receiving services having diagnosable mental health (with co-morbid substance use) issues.
- Supported the community by hosting Master level clinical Interns from the U of A, Fayetteville and U of A Little Rock, as well as hosted PhD Interns from the U of A Psychology Department
- Was afforded another opportunity to provide a better public service to the citizens of Washington County, when for the 4th year, the U of A, Little Rock School of Social Work, Mid-South Training Network, requested training from the Washington County Social Work Department Administrator, Shelley Clingan, LMSW, RTC for community stakeholders in juvenile justice
- Partnered with the Washington County Sheriff's health provider to maintain and care for the adult-charged youth held at JDC
- Retained 100% of clinical staff and detention supervisors
- Clinical staff, Shelley Clingan successfully met the requirements of the AR Social Work Licensing Board to renew her clinical license for practice (LCSW) and Jennifer Gray, LMSW passed her State licensure exam to obtain the next level of her state issued licensure
- Secured a technical assistance grant to provide a higher level of training for employees in a supervisory role. 27 people from 10 county departments and 4 individuals from Benton County participated in a 2 day intensive workshop
- Assistant Director, Kendrick Sexton received the Bob Rader National award from the National Partnership of Juvenile Services for Line Staff Worker of the Year
- Social Worker, Shelley Clingan received the Bob Rader National award from NPJS for Service Worker of the Year

- Staff Development Coordinator, Jeremy Patterson became President elect for the Arkansas Juvenile Detention Association which represent the 14 JDC's in the State
- 260 hours of volunteer services were provided to the staff and residents at no fee to the County
- Juvenile Careworker, Micah Dennis received the Community Hero Award and Proclamation with the Mayor's Literacy Day for Black and Latino male youth. Micah continues to serve her community through her Non-Profit "Fayettevillage". Their mission is to ensure children become as self-sufficient as possible, while promoting healthy eating, spiritual stability and self-efficacy. Micah and her group participate as well as orchestrate numerous community events such as the annual back to school celebrity basketball tournament
- Director Jeane Mack, through her non-profit organization, "Inspiring Hearts", sponsored the 4th annual summer program for gang involved youth. IH was also able to sponsor several female youth to attain a safe place to live as well as household items, food and other basic necessities.
- The facility remained in compliance with all audits/reviews
- There were no escapes, suicides or serious injuries to staff or residents

SUMMARY:



The Director and Supervisors of our facility as well as other vested stakeholders will continue working together in unity to guide the detention staff in directions that will better serve the youth we come in contact with as well as provide appropriate, professional training to enable our staff to be the best that they can be in the capacity they are in at the Washington County Juvenile Center and in representing the County as a whole.

We look forward to another year of challenges, successes and growth. We greatly appreciate the continued concern and support from our County Judge as well as the Quorum Court and members and citizens of our community. This county is fortunate to have such caring individuals that strive to provide not only a safe, secure facility, but also providing the means to offer successes to our youth of Washington & Madison and other counties that may utilize our services.

Washington County Juvenile Detention Center
885 Clydesdale
Fayetteville, AR 72701
Jean E. Mack, Director
444-1670, ext.3

Joseph Wood
Washington County Judge

Memo

To: Judge Wood 
From: Jeane Mack 
CC: Carl Gales, Patricia Burnett, Norma Frisby
Date: 3/1/19
Re: Juvenile Detention Monthly Statistics Report

Attached you will find the following for FEBRUARY 2019 statistical reporting for JDC:

- * Daily Population Count
- * Detention comparisons date for 2018 and 2019
- * Totals and Averages
- * Average Daily Population for FEBRUARY: 21.43
- * Number of Transports: 23

jem

**JUVENILE DETENTION CENTER
DAILY POPULATION COUNT FOR FEBRUARY 2019**

This information was developed using the Center's Daily Population Count Forms, which were designed to provide the Juvenile court staff with daily population information.

DAY	MONTH	POPULATION
1	FEBRUARY	14
2	FEBRUARY	14
3	FEBRUARY	15
4	FEBRUARY	13
5	FEBRUARY	11
6	FEBRUARY	10
7	FEBRUARY	10
8	FEBRUARY	11
9	FEBRUARY	9
10	FEBRUARY	12
11	FEBRUARY	13
12	FEBRUARY	13
13	FEBRUARY	15
14	FEBRUARY	15
15	FEBRUARY	15
16	FEBRUARY	15
17	FEBRUARY	17
18	FEBRUARY	17
19	FEBRUARY	17
20	FEBRUARY	16
21	FEBRUARY	19
22	FEBRUARY	22
23	FEBRUARY	22
24	FEBRUARY	22
25	FEBRUARY	26
26	FEBRUARY	27
27	FEBRUARY	25
28	FEBRUARY	25

REGIONAL JUVENILE CENTER DETENTION DATA COMPARISONS

The following information is a comparison of detention data elements for the month of FEBRUARY 2018 and FEBRUARY 2019

STATISTICAL INFORMATION	2018	2019	
AVERAGE NUMBER OF INTAKES PER DAY	0.89	1.43	
NUMBER OF INTAKES (total for period)	25	40	
NUMBER OF DAYS OF DETENTION (total for period)	183	358	
AVERAGE AGE	15.68	15.35	
AVERAGE LENGTH OF STAY	7.32	8.95	
TOP FIVE OFFENSES USED FOR DETENTION			
2018		2019	
OFFENSE	# OF INTAKES	OFFENSE	# OF INTAKES
<i>Probation Violation Felony</i>	3	<i>Probation Violation Misdemeanor</i>	7
<i>Probation Violation Misdemeanor</i>	2	<i>Battery-3 Misdemeanor</i>	5
<i>Carrying a Prohibited Weapon Felony</i>	2	<i>Breaking & Entering Felony</i>	5
<i>Terroristic Threatening Felony</i>	2	<i>Burglary Felony</i>	5
<i>Battery-2 Felony</i>	2	<i>Criminal Mischief Felony</i>	4

Washington County Juvenile Detention Center

Totals and Averages

This report covers 28 days 2/1/2019 to 2/28/2019
 The Avg. Daily Intake is 1.43

Intakes	40
Days of Detention	358
Average Age	15.35
Average Stay	8.95

Totals and Averages by County and Percentage of Facility Use

Start Date 2/1/2019 **End Date** 2/28/2019

This report covers 28 days

County	# Intakes	# Detention Days	Average Stay	Av. Daily Intake	Percentage of Total Days
Madison	2	9	4.50	0.07	2.51 %
Washington	38	349	9.18	1.36	97.49 %
	40	358	8.95	1.43	100.00 %

Totals and Averages by Court

Court	# of Intakes	# of Days	Avg. Stay
Juvenile	40	358	8.95

WASHINGTON COUNTY JUVENILE DETENTION CENTER

Feb-19

Sentenced	5
CURRENTLY HOLDING	4

1	Adult charged youth currently holding
0	FINS
0	DYS
1	Early release to treatment or other appropriate facility
0	Municipal Sentence
9	Sent to acute placement
0	Interstate Compact

TRANSPORTS

23	Transports
23	Transports in town
0	Out of town transports
2	Other agency transported/parent
21	JDC Transports

Washington County Sheriff's Office

Activity Report

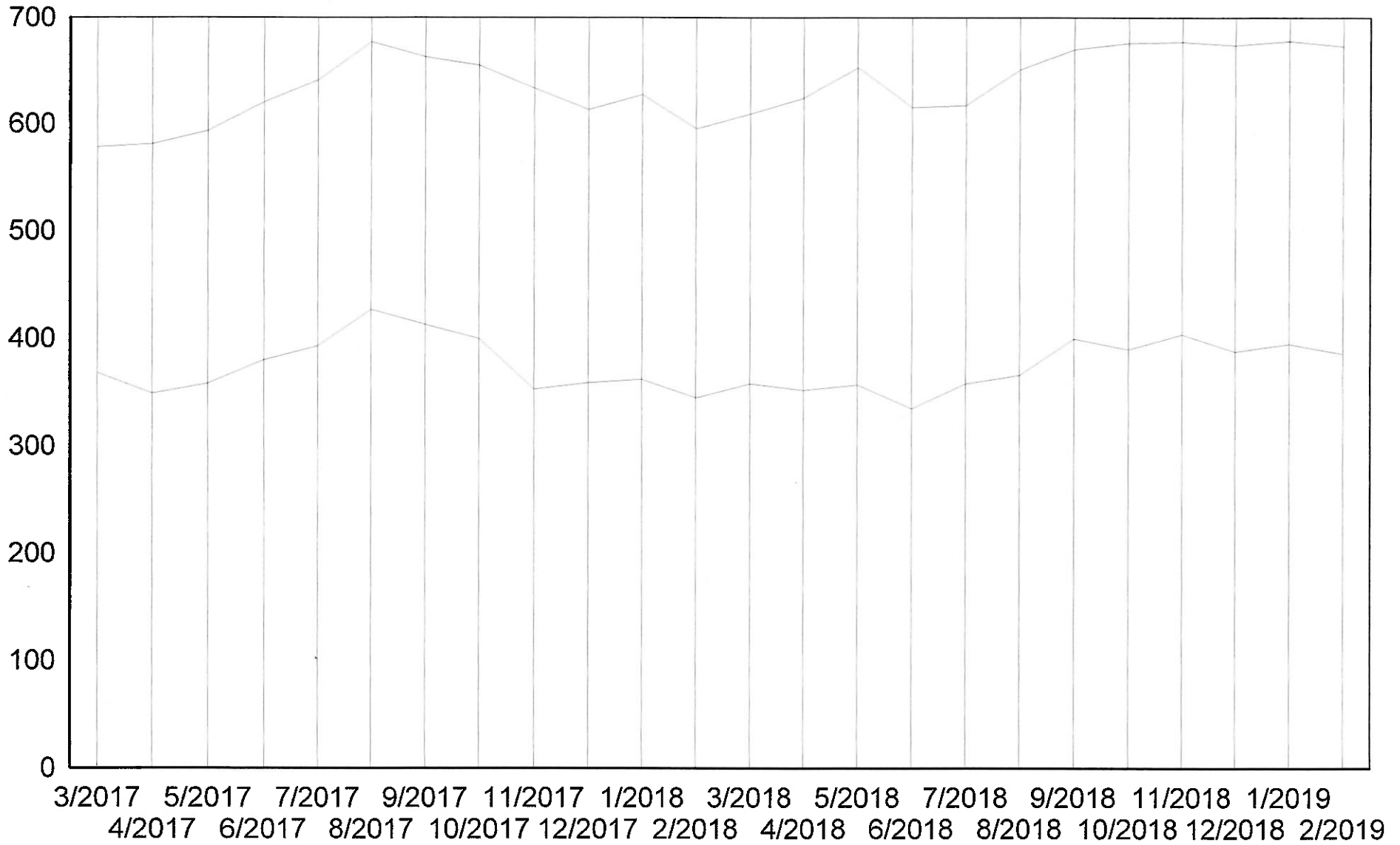
	<u>February</u>		<u>January-February</u>	
	2019	2018	2019	2018
Patrol				
Calls for Service:	2,075	1,851	4,371	3,979
Animal Calls:	79	83	196	202
Civil Process				
Papers Entered:	257	302	541	581
No Charge:	172	208	371	412
Papers Served:	217	275	481	540
Service Attempts:	315	281	667	560
Warrants				
Warrants Entered:	631	720	1,252	1,468
Warrants Served:	694	613	1,329	1,293
Training				
Hours Trained:	3,131	3,401	5,639	6,586
Communications				
Regular Calls:	16,501	14,047	32,367	29,375
911 Calls:	501	574	1,170	1,174

Washington County Detention Center

Activity Report

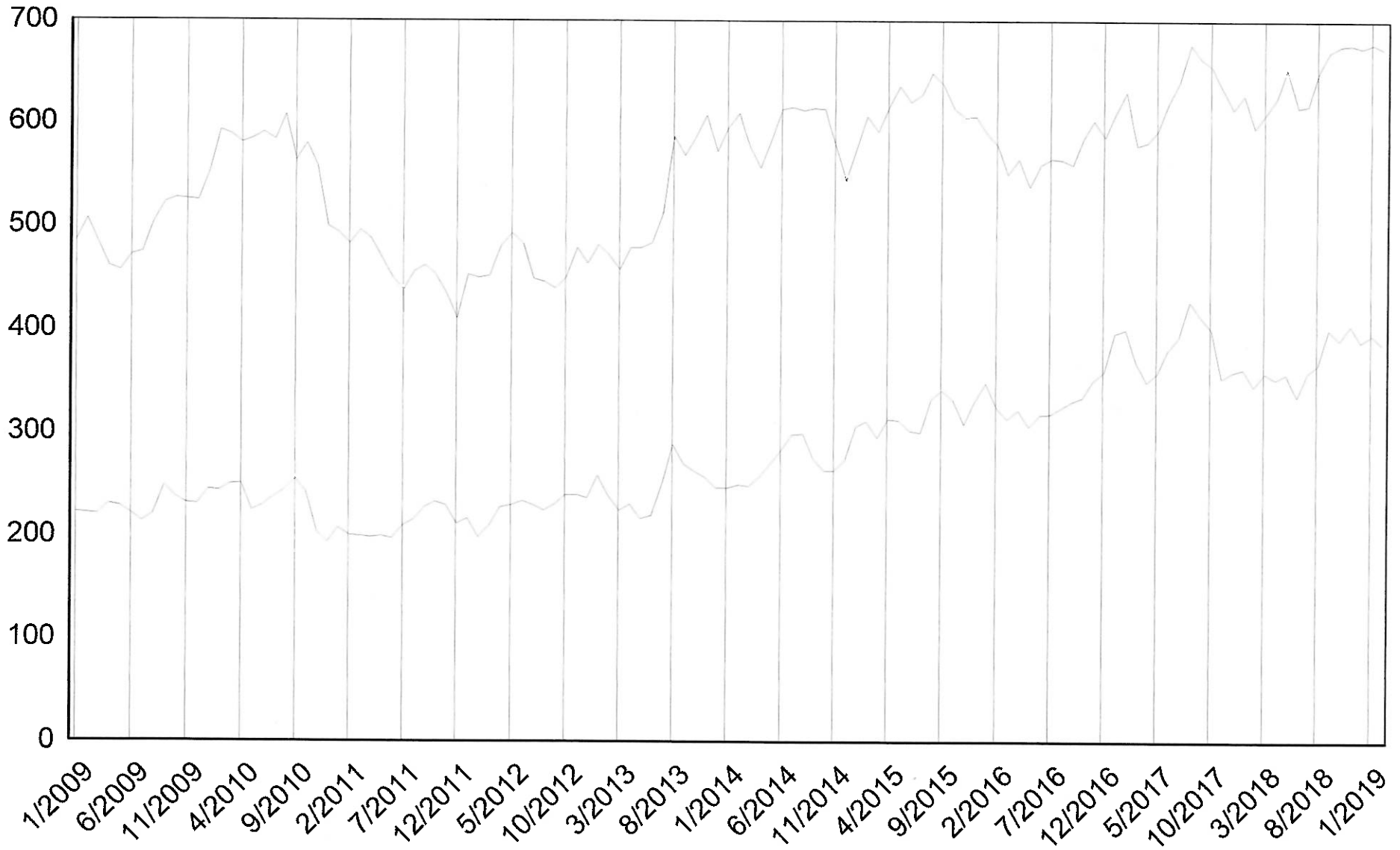
	<u>February</u>		<u>January-February</u>	
	2019	2018	2019	2018
Detention				
Intakes:	948	924	2,040	1,903
Sent To Prison:	32	37	43	82
Daily Average:	698	617	687	622
Daily Average: (Female)	128	110	131	108
Detention Board Days				
State Prisoners:	3,567	3,684	7,413	8,628
Federal Prisoners:	1,937	1,258	4,153	2,286
County Commits:	526	556	1,093	1,175
Pre-Trial:	10,817	9,672	23,077	20,916
All Detainees:	18,846	16,671	39,890	36,111
Outside Workers				
Community Service:	94	94	188	187
Work Release:	95	67	190	127
Transport				
Transport Miles:	35,549	25,628	76,247	55,472
In County:	974	944	1,975	1,953
Out of County:	148	153	316	272
Animal Shelter				
Total Workers:	43	28	83	72
Total Hours:	328	320	648	672

Detention Pre-Trial vs Total Bed Count



Detention Pre-Trial vs Total Bed Count

4.4



ORDINANCE NO. 2019-

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

AN ORDINANCE PROVIDING FOR THE LEVY OF A ONE-FOURTH OF ONE PERCENT (0.25%) SALES AND USE TAX WITHIN WASHINGTON COUNTY, ARKANSAS; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the Quorum Court of Washington County, Arkansas (the "County") has determined that there is a great need for an additional source of revenue to be used for one or more of the following: to acquire, construct, improve, expand, equip, furnish, operate and maintain new or existing jail and law enforcement facilities including any necessary utility, road, storage building, court and parking improvements related thereto or in support thereof; and

WHEREAS, Title 26, Chapter 74, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation") provides for the levy of county-wide sales and use taxes at the rate of 0.125%, 0.25%, 0.5%, 0.75% or 1%, or any combination thereof; and

WHEREAS, the purpose of this Ordinance is to levy a new county-wide sales and use tax at the rate of 0.25%, the net collections of which will be distributed only to the County and used for the purposes described above.

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

ARTICLE 1. Under the authority of the Authorizing Legislation, there is hereby levied a 0.25% tax on the gross receipts from the sale at retail within the County of all items which are subject to the Arkansas Gross Receipts Act of 1941, as amended (A.C.A. §§26-52-101, et seq.), and the imposition of an excise (or use) tax on the storage, use, distribution or other consumption within the County of tangible

42 personal property subject to the Arkansas Compensating Tax Act of 1949, as amended
43 (A.C.A. §§26-53-101, et seq.), at a rate of 0.25% of the sale price of the property or, in
44 the case of leases or rentals, of the lease or rental price (collectively, the "Sales and Use
45 Tax"). The Sales and Use Tax shall be levied, and the net collections received after
46 deduction of the administrative charges of the State of Arkansas and required rebates
47 (the "Net Collections") shall be used for one or more of the following: to acquire,
48 construct, improve, expand, equip, furnish, operate and maintain new or existing jail and
49 law enforcement facilities, including any necessary utility, road, storage building, court
50 and parking improvements related thereto or in support thereof. The Sales and Use Tax
51 shall be levied and collected on the gross receipts, gross proceeds or sales price in the
52 maximum amount allowed from time to time under Arkansas law, subject to rebates and
53 limitations as from time to time required by Arkansas statutes for certain single
54 transactions.

55
56 **ARTICLE 2.** The Net Collections shall be distributed only to
57 the County and not to the municipalities therein.

58
59 **ARTICLE 3.** All ordinances and parts thereof in conflict
60 herewith are hereby repealed to the extent of such conflict.

61
62 **ARTICLE 4.** This Ordinance shall not take effect until an
63 election is held on the question of levying the Sales and Use Tax at which a majority of
64 the electors voting on the question shall have approved the levy of the Sales and Use
65 Tax.

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70 _____
71 JOSEPH K. WOOD, County Judge
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74 _____
75 DATE

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77 _____
78 BECKY LEWALLEN, County Clerk

79 Introduced by: **JP Robert Dennis**
80 Date of Passage:
81 Members Voting For:
82 Members Voting Against:
83 Members Abstaining:
Members Absent:

ORDINANCE NO. 2019-

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

AN ORDINANCE CALLING A SPECIAL ELECTION IN WASHINGTON COUNTY, ARKANSAS ON THE QUESTION OF LEVYING A COUNTY-WIDE ONE-FOURTH OF ONE PERCENT (0.25%) SALES AND USE TAX; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

WHEREAS, the Quorum Court of Washington County, Arkansas (the "County") has passed on January ____, 2019, Ordinance No. _____ (the "Tax Ordinance") providing for the levy of a 0.25% sales and use tax within the County (the "Sales and Use Tax"); and

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the Sales and Use Tax.

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

ARTICLE 1. There is hereby called a special election to be held on March 12, 2019, at which election there shall be submitted to the electors of the County the question of the levy of the Sales and Use Tax..

ARTICLE 2. The question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

0.25% SALES AND USE TAX FOR JAIL
AND LAW ENFORCEMENT FACILITIES

39 Adoption of a 0.25% local sales and use tax within Washington County, the
40 net collections of which remaining after deduction of the administrative
41 charges of the State of Arkansas and required rebates will be distributed
42 only to the County and used for one or more of the following: to acquire,
43 construct, improve, expand, equip, furnish, operate and maintain new or
44 existing jail and law enforcement facilities, including any necessary utility,
45 road, storage building, court and parking improvements related thereto or
46 in support thereof.

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48 FOR.....

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50 AGAINST.....

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52 **ARTICLE 3.** The election shall be held and conducted and
53 the vote canvassed and the results declared under the law and in the manner now
54 provided for county elections and only qualified voters of the County shall have the right
55 to vote at the election.

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57 **ARTICLE 4.** The results of the election shall be proclaimed
58 by the County Court, and such Proclamation shall be published one time in a newspaper
59 published in the County and having a general circulation therein, which Proclamation shall
60 advise that the results as proclaimed shall be conclusive unless attacked in the courts
61 within thirty days after the date of publication.

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63 **ARTICLE 5.** A copy of this Ordinance shall be (a) filed with
64 the Washington County Clerk at least 60 days prior to the election date and (b) given to
65 the Washington County Board of Election Commissioners so that the necessary election
66 officials and supplies may be provided. A certified copy of this Ordinance and the Tax
67 Ordinance shall also be provided to the Commissioner of Revenues of the State of
68 Arkansas as soon as practical.

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70 **ARTICLE 6.** The County Judge and County Clerk, for and on
71 behalf of the County, are hereby authorized and directed to do any and all things
72 necessary to call and hold the special election as herein provided and, if the levy of the
73 Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be
74 collected, and to perform all acts of whatever nature necessary to carry out the authority
75 conferred by this Ordinance.

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77 **ARTICLE 7.** All ordinances and parts thereof in conflict
78 herewith are hereby repealed to the extent of such conflict.

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80 **ARTICLE 8.** The provisions of this Ordinance are separable

81 and if an article, phrase or provision shall be declared invalid, such declaration shall not
82 affect the validity of the remainder of the Ordinance.

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88 _____
JOSEPH K. WOOD, County Judge

DATE

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BECKY LEWALLEN, County Clerk

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Introduced by: **JP Robert Dennis**
Date of Passage:
Members Voting For:
Members Voting Against:
Members Abstaining:
Members Absent:

41 of one or more county-wide sales and use taxes at the rate of 0.125%, 0.25%, 0.5%,
42 0.75% or 1% or any combination thereof, but not to exceed 1% in the aggregate; and

43 **WHEREAS**, the County does not currently have a sales and
44 use tax levied under the authority of the Authorizing Legislation; and

45 **WHEREAS**, the County can pay the principal of and interest
46 on the Bonds from the proceeds of a new county-wide one-half of one percent (0.5%)
47 sales and use tax to be levied under the authority of the Authorizing Legislation solely
48 for that purpose; and

49 **WHEREAS**, the purpose of this Ordinance is to levy a sales
50 and use tax at the rate of one-half of one percent (0.5%) on the receipts from the sales
51 at retail within the County of all items which are subject to taxation under the Arkansas
52 Gross Receipts Act of 1941, as amended (A.C.A. §§26-52-101, et seq.), and the
53 receipts from storing, using, distributing or consuming within the County tangible
54 personal property under the Arkansas Compensating Tax Act of 1949, as amended
55 (A.C.A. §§26-53-101, et seq.) (collectively, the "Sales and Use Tax") and to submit to
56 the electors of the County the questions of issuing the Bonds under Amendment 62 and
57 the Authorizing Legislation at a special election to be called for that purpose.

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

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61 **ARTICLE 1.** Under the authority of the Authorizing
62 Legislation, there is hereby levied the Sales and Use Tax. The Sales and Use Tax shall
63 be levied, and the net collections received after deduction of the administrative charges
64 of the State of Arkansas and required rebates shall be used solely for the purpose of
65 retiring or paying obligations with respect to the Bonds. The Sales and Use Tax shall
66 be levied and collected on the gross receipts, gross proceeds or sales price in the
67 maximum amount allowed from time to time under Arkansas law, subject to rebates and
68 limitations as from time to time required by Arkansas statutes for certain single
69 transactions. The levy of the Sales and Use Tax shall not take effect unless the
70 issuance of the Bonds for one or both of the purposes is approved by the voters as
71 provided herein.

72 **ARTICLE 2.** There is hereby called a special election to be
73 held on March 12, 2019, at which election there shall be submitted to the electors of the
74 County, the questions of issuing the Bonds in one or more series under Amendment 62
75 and the Authorizing Legislation in the maximum principal amounts set forth above to be
76 payable, in whole or in part, from the net collections of the Sales and Use Tax.

77 **ARTICLE 3.** The questions of issuing the Bonds shall be
78 placed on the ballot for the election in substantially the following form:

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80 The bonds described below that are approved may be combined into a

81 single issue or may be issued in series from time to time. If the bonds for
82 one or both of the purposes are approved, there will be levied 0.5% sales
83 and use tax, the net collections of which remaining after the State of
84 Arkansas deducts its administrative charges, will be used solely to retire the
85 bonds and obligations of the County with respect thereto. The aggregate
86 rate of taxation will be 1% even if bonds for both purposes are approved.

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88 JAIL IMPROVEMENT BONDS AND
89 0.5% SALES AND USE TAX

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91 An issue of bonds of Washington County in the maximum aggregate
92 principal amount of \$38,000,000 to finance all or a portion of the costs of
93 acquiring, constructing, equipping and furnishing jail and law enforcement
94 facilities, including particularly, without limitation, an expansion and
95 improvement of the existing County jail facility and any necessary utility,
96 road, storage building, court and parking improvements related thereto or
97 in support thereof, and, in order to pay the bonds, the levy and pledge of a
98 0.5% local sales and use tax within the County.

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100 FOR.....

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102 AGAINST.....

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105 PUBLIC SAFETY COMMUNICATION IMPROVEMENT BONDS
106 AND 0.5% SALES AND USE TAX

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108 An issue of bonds of Washington County in the maximum principal amount
109 of \$11,000,000 to finance all or a portion of the costs of acquiring,
110 constructing and equipping public safety communication facilities and
111 apparatus, and any necessary land acquisition and road and utility
112 improvements therefor, and, in order to pay the bonds, the levy and pledge
113 of a local sales and use tax at the rate of 1% within the County.

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ARTICLE 4. The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for county elections unless otherwise provided in the Authorizing Legislation and only qualified voters of the County shall have the right to vote at the election.

ARTICLE 5. The results of the election shall be proclaimed by the County Judge, and the Proclamation shall be published one time in a newspaper having a general circulation in the County, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

ARTICLE 6. A copy of this Ordinance shall be (a) filed with the Washington County Clerk at least 60 days prior to the election date and (b) given to the Washington County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance shall also be provided to the Commissioner of Revenues of the State of Arkansas as soon as practical.

ARTICLE 7. The County Judge and County Clerk, for and on behalf of the County, are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the issuance of the Bonds for one or both purposes is approved by the electors, to cause the Sales and Use Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

ARTICLE 8. The provisions of this Ordinance are separable and if an article, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of the Ordinance.

ARTICLE 9. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

JOSEPH K. WOOD, County Judge

DATE

BECKY LEWALLEN, County Clerk

Introduced by: **JP Robert Dennis**