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**MINUTES OF THE
ORGANIZATIONAL/REGULAR MEETING OF THE
2013-2014 WASHINGTON COUNTY QUORUM COURT**

Thursday, January 3, 2013
6:00 p.m.

Washington County Quorum Court Room

- 1.1 The Washington County Quorum Court met in regular session on Thursday, January 3, 2013. The meeting was called to order by County Judge Marilyn Edwards.
- 1.2 B. Pond led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 1.3 **MEMBERS PRESENT:** Ron Aman, Rex Bailey, Harvey Bowman, Candy Clark, Rick Cochran, John Firmin, Barbara Fitzpatrick, Ann Harbison, Tom Lundstrum, Eva Madison, Jimmy Mardis, Joe Patterson, Butch Pond, Mary Ann Spears, and Bill Ussery.
- 1.4 **OTHERS PRESENT:** County Judge Marilyn Edwards, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 1.5 Judge Edwards stated that this was the beginning of the new 2013-2014 term and this meeting can serve as the reorganizational meeting, as well as the regular January meeting of the Quorum Court if that is what the Court desires.
- 1.6 **R. Bailey made a motion to declare this as the January regular meeting of the Quorum Court. T. Lundstrum seconded. The motion passed unanimously by voice vote.**
- 1.7 **ADOPTION OF THE AGENDA:** Judge Edwards asked if there were any additions or deletions to the agenda.
- 1.8 **E. Madison made a motion to adopt the agenda with the addition of Ordinance #9.1 regarding the establishment of committees that she is proposing. C. Clark seconded. The motion passed unanimously by voice vote. The agenda was adopted as amended.**
- 1.9 **APPROVAL OF MINUTES:** Judge Edwards asked for approval of the minutes of the December 20 regular meeting of the Washington County Quorum Court.
- 1.10 **A motion was made and seconded to approve the minutes as distributed. The motion passed unanimously by voice vote. The minutes were approved.**

- 2.1 **POWERS AND DUTIES OF THE QUORUM COURT, FREEDOM OF INFORMATION ACT, GENERAL MEETING CONDUCT, AND MEETING PROCEDURES:** County Attorney George Butler referred to the handouts provided, noting that he will be giving the cliff notes version in terms of what is in their Code of Ordinances and Arkansas Statutes. He explained that the best way to learn these things is as they move along throughout a meeting and something comes up, he will stop and explain what they are doing, why they are doing it, and how they go about doing it.
- 2.2 G. Butler noted that he has a new memorandum on marriage solemnization, amending from the one he did in 2003 which said that a former JP had to serve at least three terms. This has since been changed where after a JP has served two terms, they have the authority to continue to perform marriages. He noted in reviewing the 2008 Attorney General's Opinion, a fee or other compensation cannot be charged for performing a marriage, but according to a 2008 Ethics Opinion, if an honorarium or donation is offered, it can be accepted so long as it does not exceed \$100.
- 2.3 G. Butler referred to the County's Code of Ordinances, noting they have adopted several ordinance regarding procedure, one being that in the Quorum Court and Committees they follow Roberts Rules of Order, unless it is contrary to State law or County Ordinance or unless they specifically amend procedure to not follow Roberts Rules and he serves as the Parliamentarian in those situations. He stated that the agendas of the Quorum Court are established by the County Judge, and the agendas of the committee are supposed to be arrived at by the Committee Chair in consultation with the County Judge. He noted that they can bring up any other issues under "Other Business". Something can be added to the agenda by a two-thirds vote or in the case of this 15-member court, 10 votes constitute two-thirds. He stated that normally an ordinance requires three full readings unless they suspend the rules and read three times by title only at one meeting or it is an emergency ordinance which only requires one reading and two-thirds vote. He noted once they get to the point where they are going to have a final vote on an ordinance, there is a 10-minute public comment period which the court can extend and has done before on controversial items before they vote. He further noted at the end of the meeting, they have a 15-minute general Citizen's Comment period when they can talk about anything. He stated that ordinance requires that he be contacted at least 14 days in advance to draft all ordinances and resolutions; however, he realizes that this is not always possible. He stated that each Quorum Court meeting begins with a prayer and Pledge of Allegiance.
- 2.4 G. Butler referred to the Arkansas Code, noting that there is an online version on the Arkansas General Assembly website. He stated that he subscribes to

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Westlaw software and others subscribe to Lexis. This software also provides the code in an annotated version which, along with the statutes, provides case summaries and Attorney General Opinions. He stated if anyone is having trouble navigating through these software programs and having problems finding what they want, feel free to call or e-mail him for assistance.

- 3.1 G. Butler stated that the Quorum Court fixes the number and compensation of all county employees and set the salaries for themselves and elected officials. He explained that the County Judge presides over the Quorum Court without a vote, but does have the power to veto which he has not seen in all of his years. He added that the Quorum Court can override a veto by a three-fifths vote or nine votes. G. Butler stated that if they have vacancies of elected officials, the Quorum Court fills those vacancies, but a vacancy on the Quorum Court or Constable position is filled by the Governor.
- 3.2 G. Butler stated that under the Arkansas Code, there are some mandatory duties set out for JPs, as well as discretionary things. He explained that JPs must provide for the administration of justice through the Courts and there are some mandatory obligations in terms of funding of the Circuit and District Courts, for law enforcement and custody of prisoners, for a real and personal property tax system. He explained that the County Assessor is not totally funded by the County. The money is fronted by the County and at the end of the year, the other taxing entities (school districts and cities), pay the County back with the school districts funding the Assessor's Office and the Board of Equalization to the tune of about 80% and the remaining is divided between the cities and county. He stated that they also must provide for the management of court and public records through the Circuit and County Clerks and archives. He stated that they must levy the taxes for the county, cities and schools at their regular November meeting, and are required to pass a budget before the end of each year. G. Butler stated that special meetings can be called by the County Judge or by a majority of JPs.
- 3.3 G. Butler stated that when an ordinance is read three times, it only requires a majority vote to pass; however, an emergency ordinance requires a two-thirds vote to pass and if it does not pass the first time, can go to second and third readings. He reiterated that they can suspend the rules and move an ordinance up, reading it by title only and pass it at one meeting. He explained the difference between an ordinance passed like that and an emergency ordinance is that an ordinance that is either read three times or the rules are suspended to place on third and final reading does not go into effect until 30 days after it is published; whereas an emergency ordinance goes into effect immediately after it is passed and signed by the County Judge. He stated that an appropriation ordinance always requires a two-thirds vote to pass and

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most are routine; however, if it does not pass the first time, must go through second and third readings before it can be passed. He noted that their budget ordinance is an appropriation ordinance and has not always passed the first time around, requiring special meetings to go onto second and third readings.

- 4.1 G. Butler stated that almost all of their ordinances are subject to the process of initiative and referendum and an ordinance can be referred for a referendum by a three-fifth's (9) votes, unless there is state law as with the transit tax issue which mandated that it automatically be referred without our vote to refer it.
- 4.2 County Attorney George Butler addressed the Freedom of Information Act, noting that there are two sections to this Act: open public records, and open public meetings. He explained that the Quorum Court would primarily be concerned with the "open public meetings" section of the FOI Act which states that all meetings are held in public and notification of the meetings are to be provided to anyone who requests notification, be it the press or a private citizen. G. Butler further noted that no JP may speak to, e-mail, correspond, or talk on the phone with another JP about any Quorum Court business that is before the Quorum Court or is likely to come before the Quorum Court outside of a public meeting. He stated that he deals with public records all the time and he receives many FOI requests. He noted that last year for the first time, the JPs got a FOI on their e-mail and as it ends up, this can include their private e-mail; if they have been discussing public business with a constituent, for example. He stated that the Attorney General has said that where the public record is located is not determinative of whether it is public or not. Therefore, he suggested if they do not want their personal e-mail to fall under this, that they delete the same where they have discussed public business such as they had during the transit tax controversy. However, he noted once a request has been made, they cannot delete their e-mails and suggested that they do not put anything in their e-mails that they would not want to be publically read.
- 4.3 E. Madison added that when JPs are offered to have a county e-mail address with the Washington County extension, these will be automatically forward email to whatever personal e-mail address they have attached to it. The County will not keep a copy and whatever records will be maintained are those that they each maintain and they become the custodian of their own e-mails.
- 4.4 Judge Edwards reiterated that the JPs should feel free and comfortable to call County Attorney George Butler with any questions they have.

- 5.1 **REVIEW OF QUORUM COURT COMMITTEE ASSIGNMENTS FOR 2013/2014, AND SCHEDULING OF MEETING DATES/TIMES:** Judge Edwards stated that despite the 2003 Attorney General opinion, Washington County has continued to operate under the system wherein the County Judge decides what committees there will be and appoints not only the members, but also the chair and vice-chair. She noted as the Attorney General has stated that this matter needs judicial or legislative clarification, she would ask that they continue to extend her the same privileges that they have extended in the past as well as to her predecessor.
- 5.2 Judge Edwards thanked E. Madison for her idea of a Committee of the Whole for finance and she believes that this idea should be taken one step further. She stated that she would propose that they have one Committee of the Whole to meet on the Tuesday, nine days prior to their regular Quorum Court meeting on Thursday and this Committee of the Whole conduct all county business on one evening per month. She stated that she would ask that Mary Ann Spears serve as chair, and R. Cochran as vice-chair. Judge Edwards stated by having a Committee of the Whole to address all matters would also solve a huge scheduling headache and allow all issues to be dealt with at one meeting rather than have an issue bounce from one committee to another. She noted that this would streamline the process of conducting business by eliminating the need for extra meetings; reduce the duplication effort and man hours to accomplish the same business reduce the requirement for comp time by County employees who are required to attend several meetings per month; reduce the work load on Karen Beeks who is responsible for agendas and minutes of meetings; allow Karen Beeks more time to complete the Quorum Court packet of information for the JPs to read before the Quorum Court meeting, eliminating the need for a 1st and 2nd half; allow a complete agenda to be published prior to the Quorum Court meeting so that the public can be aware of all topics to be considered; allow one regular committee meeting each month where public can plan to attend and see all the business of the Quorum Court discussed; and make it cost effective to consider the recording of the Committee of the Whole meeting for public broadcasting like the Quorum Court meetings are now.
- 5.3 Judge Edwards stated that Karen Beeks has served as Washington County's Quorum Court Coordinator for 30 years and has been consulting with her regarding this and can speak to the Quorum Court regarding the same. She stated in a spirit of cooperation and in an effort to continue being a leader and setting the example for all county administrations, she is asking this Quorum Court to consider her recommendation for approval for the 2013/2014 term.
- 5.4 **B. Pond made a motion to accept Judge Edwards' recommendation. A. Harbison seconded.**

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- 6.1 E. Madison stated that she appreciates the Judge's recommendation and believes that they need to conduct some work in the Committee of the Whole, but she actually thinks that it violates Amendment 55 to the Constitution. She explained that if they conduct all committee work in the Committee of the Whole, they are circumventing the Quorum Court meeting requirements. She noted that she has had long discussions with Wes Fowler, Director of Governmental Relations with the Association of Arkansas Counties, about committees of the whole and virtually every county that uses committees of the whole uses them for a limited purpose and not for all purposes because if every time a committee meets, it is all 15 members having a vote, they are effectively having Quorum Court meetings and then they need to abide by the procedures for Quorum Court meetings.
- 6.2 County Attorney George Butler responded to E. Madison stating that he did not see how this violates Amendment 55, noting that Wes Fowler has tried to contact him and he has not had a chance to call him back. He reported that he had spoken to Mr. Fowler regarding some legislative clarification on the committee noting that it would be tough with County Judges on one side and Quorum Courts on the other. He stated that a committee of the whole is not the Quorum Court, giving the example of the Budget Committee of the Whole which the County Judge did not preside over and she wouldn't if they had a Committee of the Whole on Finance. He further noted that Amendment 55 does not address committees.
- 6.3 E. Madison responded to Attorney Butler, stating that Amendment 55 addresses what is a Quorum Court meeting and what procedures have to be followed, who the presiding officer is, and therefore if the only committee that they have meets in the whole with everyone having a vote, it would be a Quorum Court meeting.
- 6.4 County Attorney George Butler stated that he just doesn't understand that logic in this at all; to which E. Madison responded that this is what Wes Fowler had told her.
- 6.5 E. Madison stated that she has another proposed committee structure that she would like to offer before they vote on this because she believes that having a specialized committee structure serves a purpose and makes them more efficient. She stated that she understands the scheduling difficulties, but at the same time she believes that they should be very careful that what they are doing is legal. She stated that every time they meet as a committee, there is an assumption that it is a committee of the whole, but in reality it is not because not everyone has a vote. She stated that while they are observing a very technical, accurate committee structure as it now stands, if everything they do operates in a Committee of the Whole, then that is a Quorum Court meeting.

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- 7.1 County Attorney George Butler stated that has checked all Attorney General Opinions for committee of the whole and did not find one. He will need to speak to Wes Fowler because right now on the surface of it, this just does not make sense to him.
- 7.2 T. Lundstrum asked for clarification that Judge Edwards was talking about having one committee of the whole to handle all county business and they would not have the other 5-6 committees; to which Judge Edwards concurred. He stated that his problem with that would be that even the way they split the committees up now, some of the meetings take 1-2 hours, and if they try to put it all into one meeting a month, these meetings could run 3-4 hours.
- 7.3 Judge Edwards explained that if they knew that there was an issue such as the quarry or a bond issue to discuss that would take time, there will be the option of extending the Committee of the Whole into another meeting and hold them on two nights instead of one. She further noted that the way the committees are currently being run, sometimes the same thing is being said over and over and taking up a lot of time and with the one committee, they will actually reduce that duplication and streamline the business.
- 7.4 T. Lundstrum stated that last year and the year before, the Quorum Court cut their own salaries by about 50% by stacking meetings and this proposal would stack them even further where there would only be two meetings a month. He pointed out that all of JP time is not spent around this horseshoe; they are out talking to constituents and doing a lot of things outside of this court that costs them time and money to do as well. He believes that there is fair consideration that the Quorum Court be compensated for their time and effort.
- 7.5 B. Pond asked if there had been any research done on how much tax money this could save by having one committee meeting; to which Judge Edwards responded that they have put the pencil to this and believe that they could save somewhere in the neighborhood of \$85,000 to \$90,000 a year.
- 7.6 Judge Edwards stated that she would like to further suggest that each JP be paid a rate of \$250 per meeting for the two described meetings per month and if more time was needed, then they would be paid \$125 per meeting for any additional required meeting, as long as they do not exceed \$13,319. She explained that this came about when they did their redistricting and census, they went over 200,000 in population which increased the JPs salaries to \$13,000 where before they were locked down to \$8,734. She explained that now that the County's population is over 200,000 and they now have 15 JPs, they have the authority to increase their salaries and could even be paid \$300 a meeting and still be in the mid-range.

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- 8.1 R. Bailey stated that he does not have a problem with this, but would have a problem voting on it tonight if the Association of Counties is saying that it is not legal to have the one Committee of the Whole.
- 8.2 Judge Edwards responded to R. Bailey that Wes Fowler from the Association of Arkansas Counties was a County Judge, but is not an attorney. She added that she has been unable to talk to either of the he attorneys for the AAC, Mark Whitmore nor Jeff Sikes. She added that this is a "hot potato" and no one wants to give any information or obligate themselves.
- 8.3 R. Bailey reiterated that he would have trouble voting on this tonight until they could get some clarification.
- 8.4 E. Madison stated that she has been working on these committee issues for quite sometime and she sees a proposal as dramatic as this coming along with a proposal to raise their pay probably merits more discussion than just voting on tonight. She is the math major of the group and she has to go do the numbers herself. It is too soon for her to make an informed decision.
- 8.5 Judge Edwards responded to E. Madison that she is not proposing that they vote on the pay increase tonight; to which E. Madison stated that it kind of goes hand-in-hand with the Committee of the Whole because they are proposing a dramatic change in how they do their committees and creates a dramatic change in compensation which isn't much, but is important to some people.
- 8.6 B. Pond addressed E. Madison stating that even though one of the JPs would be the chair, that somehow in fact this Committee of the Whole would somehow be a regular Quorum Court meeting and would not be legal is her legal opinion; to which E. Madison responded that it is not her legal opinion but is based on the advice she sought as she is not an expert on county law.
- 8.7 B. Pond stated in that case, their Budget Committee of the Whole that they have been having is not legal either; to which E. Madison responded that their Budget of the Whole Committee serves a limited purpose and only tentatively approves anything for the most part and they are talking about this Committee of the Whole doing all committee work.
- 8.8 County Attorney George Butler stated that a Committee of the Whole would still only be forwarding ordinances to the full Quorum Court for passage and people could change their minds between the two meetings.
- 8.9 E. Madison stated that one of her problems with the current committee system is the way that they engage as a defacto committee of the whole

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every time they meet is because when they get to the Quorum Court meeting on television, it appears that they are rubber stamping everything and have to explain to the audience. The heart of the discussion and every decision will be made at the committee level and there is no added discussion at the Quorum Court meeting.

- 9.1 B. Pond noted during the time that he has served with E. Madison on the court, he has tried to get a grasp of some of her ideas and it seems as though she along with others have wound up having special sub-committees to do the tasks that the appointed committees might have been doing with none of the members not necessarily even in that committee being on her sub-committee, and then expressed frustration when other members of the court showed up for their sub-committee meetings. He stated that he is not a lawyer, but he does not understand that what they are talking about doing here and saving possibly \$80,000 a year in tax money can be illegal, yet it was not illegal for them to have budget committees of the whole.
- 9.2 E. Madison responded stated that her original intent was to have them operate truly as committees where those members are recognized to speak first. She recalls that they formed a special sub-committee and when asked who wanted to be on it, six people raised their hands and she declined; and the next time they met, everyone was there except her which she found odd. She stated that committees are there to be a subset, to be efficient and when she raised the issue that they are not really doing it in the most efficient way and it was costing the county a lot of money, the response she got was this is the way they have always done it, they all want to be there and don't want to miss things. She noted that her preferred way of doing things is the cheapest way where the members of the committee only attend the meetings; they do their work efficiently and report to the legislative body. But she heard pretty loud and clear that people did not want that, so she tried to study a way that she felt would be more efficient and preserve everyone's desire to have a say in the action by making the committee start to be more efficient. She suggested that they do away with the Legislative Committee and Information Technology Committee where the subject matter can be covered by another committee; merging Finance and Budget Committees to eliminate meetings, but giving everybody a vote on Finance because it is very important and everyone wants to attend. E. Madison stated that her goal has been efficiency all along and she appreciates that they are trying to save money, but when she first proposed trying to save that money, her idea was rejected.
- 9.3 B. Pond asked E. Madison if on the efficiency issue whether it was her determination that the Quorum Court could form committees ourselves that would be more efficient than the committees that the County Judges have appointed in the past; to which E. Madison responded that it is their duty to

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name their own committees and set the number on those committees according to Attorney General's opinion and statute.

- 10.1 County Attorney George Butler responded to E. Madison's statement, that the Attorney General did not state that it was their duty, but said that they could.
- 10.2 E. Madison stated that the statute says that the Quorum Court decides what committees they have, the Judge appoints the members, the committees appoint their chair and vice-chair. In forming those committees, they have the power to name the number of people on a committee. Therefore, she stated the way she tried to structure it was if everyone was going to be on the Finance Committee, then there was the specialized committee for subject matter areas and then tried to make it so that everyone could be on two of those.
- 10.3 In response to a question from B. Pond, E. Madison reiterated that she does not see everyone being on the Finance Committee as being illegal because it is a subset and they are not doing everything in the committee of the whole.
- 10.4 County Attorney George Butler stated that the reason why they have a split in the Attorney General's opinions. The first where Winston Bryant under Mark Pryor stated that the County Judge can decide what the committees are going to be, but also who will be on each committee; then under Mike Beebe, it took a turnaround but it was stated that legislative or judicial clarification was needed. He is not saying that both sides needs judicial clarification by lawyering up and going to court, but they may get legislative clarification. He stated that the 2003 Opinion is not a slam dunk opinion. G. Butler stated that he is assuming that Wes Fowler has talked to Mark Whitmore about this and if there is sufficient interest in doing the Committee of the Whole, he would suggest that they have another meeting later on this month and set their committees once he has had a chance to consult with them and if he sees there is a problem, then they can take up E. Madison's or anyone else's version.
- 10.5 C. Clark stated that this is an interesting idea, but she believes that it would best work for a smaller county. She noted that she has a perspective on County Services and Finance Committees, she cannot remember a time when the Finance Committee meeting lasted less than an hour. Therefore, if they are going to keep focus on all the various components of this county and listen to all the reports that they usually hear in their set committee schedule, they would be looking at a meeting where they could possibly hear reports from the Road Department, IT, Planning, Animal Shelter, JDC, Jail Detention, JESAP, Buildings & Grounds, and Finance would be wide open and she suspects that this one meeting a month would tax them time wise. The

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proposal that they could then have a second meeting, but the first meeting being nine days before the Quorum Court, the same scheduling issue of trying to get 15 people together at one time would again rear its ugly head and they would be very close to a Quorum Court meeting at that point. She stated for a smaller county that doesn't deal with nearly as much information as they deal with, this would work and she commends the idea as well as of saving money, but if they are going to offset that by giving them a raise. C. Clark stated she truly believes for their county as large as it is, she does not believe that this is overly functional and she does not relish the thought of meeting for 2-3 hours wherein everyone of them have complained about in the past.

- 11.1 C. Clark further stated that she does understand what E. Madison speaks of where it seems that they are rubber stamping in the Quorum Court meetings because they have hashed things out so thoroughly in committees, but still only 5-6 people are sending things forward. Sometimes there are big surprises when they get to Quorum Court, and sometimes people not on that committee raise their voice in a meaningful and productive manner which may not happen if they are all just sending stuff through on a committee of the whole. She does understand why Budget Committee of the Whole would be legal given the definitions she has heard as it is for a very specific purpose, not overall county business which the proposed Committee of the Whole would be for, and it could look like they were rubber stamping. She noted it certainly would be more difficult for people to change their minds from the Committee of the Whole to Quorum Court meetings if new information is uncovered. C. Clark stated that she likes the idea of waiting in order to seek an opinion from whomever County Attorney Butler would seek an opinion from to ensure that they are doing this the right way and legally. She fears by placing all of their county business on one agenda, that they will lose some of the focus that the individual committees mandate that they give. She mentioned that there are 30 some odd buildings in the county that she hopes Public Works has them tour because the people on the Quorum Court need to see what the County really does and this is not it by any stretch of the imagination.
- 11.2 Judge Edwards commented that Pulaski County has all of their committee meetings on one night, meeting at 5:30, 6:00 and 6:30 to take care of all their business at hand and this is the largest county in the state.
- 11.3 B. Fitzpatrick stated that she can see both good and bad points, but will leave the legal determination to County Attorney Butler as she is not a lawyer. She stated that one of the reasons that the Finance Committee can go as long as it does is because they are basically going over and repeating what was said at the other committee that forwarded it onto Finance, so she can see how

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the single meeting would not go as long as if they added all the other meetings together. She concurred with C. Clark's concern that they sometimes do meet offsite to visit various other county sundry possessions; however, they have also had multiple meetings at that time where they may be looking at the Historic Courthouse with County Services and then have the Public Works meeting at the Historic Courthouse right after. B. Fitzpatrick stated that right now with their regular average monthly meetings, they have been meeting about four times a month, so if they met twice a month and doubled their salary, it would essentially be a wash as far as their remuneration is considered, but could be saving in funds for staffing, utilities, etc. She stated whether they have six committees or one committee, she likes the idea of having the final meeting far enough back so that they are not getting their Quorum Court packets in two sets as they do currently. She noted that when they do not get the minutes to some of these meetings until the Quorum Court meeting, it does not give any time for them to review minutes for meetings that they did not attend so as to make an informed decision. She believes that this is definitely something to consider, but her biggest problem with kicking the can down the road to allow Attorney Butler time to look this stuff up is that this is their organizational meeting and the one that determines what their committee structure will be, when they will meet next and who is officially in charge of when we meet. Baring the legal issue of whether E. Madison is correct even though the County Judge is not presiding and the votes do not have the force of law, would this really be considered just another Quorum Court meeting. In a committee meeting without the Judge presiding, their votes do not have the force of law and they are only voting to send them to the Quorum Court at which meeting their votes do have the force of law. Therefore, she would really like to see them make a decision tonight if at all possible because that is what this meeting is about.

- 12.1 A. Harbison stated that every time there is a new idea put out, there is always resistance and she thinks that this is something that they need to try, and if it does not work, they can go back to maybe 2-3 meetings a month. She noted that they took out all excess money in the elected officials' budgets and she thinks that this is another approach where they can save money. This would not only be a savings on the Quorum Court's compensation, but there is the expense of security that they have to pay whenever there is a meeting. She believes that this can work because whenever they have something in Personnel, it has to be referred to Finance and they could take care of the personnel issue and the finance issue without discussing it twice. She believes that the tours of county buildings or roads can be scheduled at different times so that the new court members can see how the county works. She believes that this could be not only efficient, but save the county money.

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While she believes that some of the concerns voiced may be valid, she does not believe that the idea should automatically be rejected.

- 13.1 J. Patterson stated that he likes to have about 72 hours to think about things before making a move which eliminates running through all of the committees at the same time. He stated that he has noted lately some cities and counties are raising their JPs rates and he believes it is warranted because the amount of money that the JPs of this county make is small compared to the decisions that they make. He believes as long as they have the option of the extra meeting if needed, then he does not have a problem with it.
- 13.2 Judge Edwards explained that she was thinking that they could meet on Tuesdays and if a second meeting was required, they could meet that same week on Thursday. She stated that she would like to hear from Court Secretary Karen Beeks at this time who has served as Washington County's Quorum Court Coordinator for the past 30 years.
- 13.3 Court Secretary Karen Beeks addressed the Quorum Court and stated that she has talked with Judge Edwards and other counties about this option and she really thinks that the fact that they have two packets that go out is a disservice to the public. The agenda that is published on the Friday before the Quorum Court meeting is only a small picture of the actual agenda that is seen by the public with the Finance Committee meeting not held until the week of the Quorum Court meeting as the appropriation ordinances result there from. She believes that it is important to try to condense the meetings into one night just so that all business can be handled, the public can attend the one meeting, and it would be more cost effective to allow that meeting to be taped and broadcast over the Government Channel which will provide the public more opportunity for information. Many of their committees have routine reports that could be done every other month or quarterly, and often that is all that is before the Committee with no other issues needing to be discussed. Ms. Beeks stated that she will do whatever they decide no matter how long it takes as her time is not the issue here, but noted that even if two meetings were required, she could send out an entire packet and all information on the Friday before the regular Quorum Court meeting which would benefit the JPs and believes that they could see an increase in public attendance at their meetings.
- 13.4 J. Firmin stated that some of his concerns with this proposal are the length of the meetings and possibly not wanting to make proposals that they would otherwise make at smaller meetings that would not take as long. He just does not believe that they can streamline 15 people, noting how long they have been talking about this very topic. He concurs that their compensation is important as well as saving the county money, but if they are tired when

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making a decision in hour three regarding a \$6 million parking deck and someone does not bring an idea forward because they are tired, it may have some significance. J. Firmin further noted that it could be exhausting for one person to take on that much responsibility to chair such a meeting.

- 14.1 E. Madison referred to A. Harbison and B. Fitzpatrick 's concerns with issues going to two committees, stating that they absolutely control their own procedure and committee structure and they can stop that; if something comes to Personnel, it doesn't have to go to Finance. It is our prerogative. Moving all of their meetings to earlier in the month could solve the issue mentioned by Karen Beeks of the agenda being incomplete. She stated that there are ways to deal with every one of the very valid concerns mentioned while also preserving the important issues that our committees address. She stated that she is very concerned over what C. Clark mentioned about the dilution of issues because everything merged together somehow makes the Sheriff's Report not the focus anymore and the new report that they would be getting from the Animal Shelter may be lost in the shuffle. E. Madison stated in talking about having the option of a second meeting calls to question how and when they will know if a second meeting is needed. She stated that she is very concerned about the burden this would create for the chair because she has watched how much preparation was necessary for C. Clark to prepare for the Finance Committee, and T. Lundstrum with regard to courthouse security and believes that this is too much work for one person to deal with. E. Madison stated that she absolutely embraces the concept of new ideas and concurs with A. Harbison that they do not always like what they hear as a new idea, but maybe need to sit on it a while and think about it. She stated that she received a lot of negative reaction to her new idea for a Finance Committee of the Whole that she first mentioned last November to try to give everyone an idea to think about it in advance because they could not vote on it before now with four new members. E. Madison stated that she thought long and hard and did a lot of research to come up with her proposal and asked that they at least take a look at her proposal so they know what the alternative is.
- 14.2 B. Pond noted that they have the power and authority to accept the Judge's proposal and give it a try, and they also have the authority and power to make changes to it if it does not work as smoothly as they thought it might. He further pointed out that whether there are small or large committees, if you really want to know what is going on even if you are not on a committee, you will be want to attend other people's committee meetings. He stated that there is nobody that is going to want to continue doing this if it winds up being a pile up every month of three hour meetings and they still have the opportunity to change it. He concurred with E. Madison that many things are

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worth a try and he made this motion to accept Judge Edwards recommendation in recognition of the work that she has done as he believes she has done an excellent job of being their County Judge.

- 15.1 **A. Harbison called for the question.**
- 15.2 A. Harbison noted that everything has been said in favor and against this recommendation and she believes that it is time to either vote it up or down.
- 15.3 County Attorney George Butler stated that even though this is not an ordinance, they probably should have citizen's comments before they vote.
- 15.4 Citizen Comments: There were no citizen comments made.
- 15.5 E. Madison questioned how her ordinance with a committee structure was an emergency ordinance requiring a super majority, but this is some how not an ordinance.
- 15.6 County Attorney George Butler responded to E. Madison, stating that she asked him to draw the ordinance and then Karen Beeks pointed out that it would need to be an emergency ordinance in order to be effective tonight. He stated that the statute does not say that they have to create committees by ordinance as it is an internal matter and in fact, they have never done it that way before, but rather the County Judge announces the committees and appointments thereto.
- 15.7 E. Madison stated that it seems they should be treated equitably in terms of super majority vs. simple majority; to which G. Butler responded that he cannot change the fact that B. Pond just made a simple motion that requires a majority. He stated that the Quorum Court could still take up her ordinance tonight which would essentially repeal what they might decide now, but need to see how the vote turns out.
- 15.8 J. Mardis asked for clarification to which County Attorney George Butler responded that E. Madison was proposing by emergency ordinance a completely different committee structure with several committees and one Committee of the Whole for Finance.
- 15.9 J. Mardis stated that both pertain to committee structure and as he is totally new to this process, expressed concern that he does not know what it is that E. Madison is proposing or what they are voting for and questioned whether it made sense to do it this way; and G. Butler stated that the material handed out covers this but explained that E. Madison had proposed an ordinance where there would be County Services, Public Works, Jail/Law Enforcement/

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Courts, and Personnel Committees and then have a Committee of the Whole for Finance, the number of members on each committee, and the chair and vice chair selection would be up to the various committees.

- 16.1 J. Mardis stated with that in mind and with his experience serving on various boards and committees, his biggest concern is the large number of people constantly trying to come to resolution on an issue. It is easier to come to a conclusion with a smaller group as they will have a tendency to focus on one issue and ask a lot of questions. He stated that it is important to him to be able to focus on one area as he is out of town a lot and would not be able to attend a lot of meetings.
- 16.2 Judge Edwards responded to J. Mardis stating that she welcomes his comments and is glad for him to take an interest and want to ask questions.
- 16.3 R. Bailey asked how they would work the Budget Committee; to which Judge Edwards stated that the Committee of the Whole would also serve as the Budget Committee.
- 16.4 R. Cochran stated that since they adjusted their Quorum Court meetings to the third Thursday of the month, given that they are trying to get reports from various departments, he pointed out that they may need to consider moving the Quorum Court meetings to the fourth Thursday in the month so that the preceding Tuesday the Committee of the Whole could meet and all departmental reports would be available for that meeting.
- 16.5 B. Fitzpatrick asked M. Spears and R. Cochran if they were up for serving as chair and vice chair of this Committee of the Whole; to which they both indicated that they were.
- 16.6 **With no further discussion, Judge Edwards called for a vote on the motion to accept her Committee of the Whole recommendation, including the selection of the chair and vice-chair.**
- 16.7 **VOTING FOR: H. Bowman, R. Cochran, B. Fitzpatrick, A. Harbison, B. Pond, and M. Spears. VOTING AGAINST: R. Bailey, C. Clark, J. Firmin, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, and B. Ussery. ABSTENTION: R. Aman. **The motion failed with six members voting in favor and eight members voting against the motion and one abstention.****
- 16.8 **A. Harbison made a motion that Judge Edwards appoint the committees like she has in the past and she appoint the chairs and vice chairs. B. Pond seconded.**

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- 17.1 A. Harbison stated that she does not believe it is the responsibility of anyone on this court to tell the County Judge what to do with an ordinance.
- 17.2 E. Madison asked for a point of order because there are other items on the agenda and her ordinance was provided and written prior to the meeting and warrants consideration.
- 17.3 County Attorney George Butler suggested that A. Harbison could make a motion to table E. Madison's ordinance and then offer her motion. He stated that that the issue before them right now is committees and the Judge's proposal made by simple motion was defeated, so it may be that A. Harbison's motion is not out of order and if it were an ordinance, it would not be. Therefore, County Attorney Butler ruled that A. Harbison's motion at this time was in order, but if it passes, would negate E. Madison's ordinance, though she could still seek to introduce and vote on it.
- 17.4 **E. Madison made a motion to amend A. Harbison's motion to do as she was requesting by emergency ordinance which is to do away with IT and Legislative Affairs Committees; to merge Finance and Budget Committees and create a Finance/Budget Committee of the Whole, a County Services Committee with 8 members, a Jail/Law Enforcement/Courts Committee with 8 members, a Personnel Committee with 7 members, and a Public Works with 7 members. C. Clark seconded.**
- 17.5 A. Harbison stated that she would not accept this as a friendly amendment to her motion; to which G. Butler stated that this did not need to be accepted to be considered.
- 17.6 G. Butler clarified for the Court that they now have an amendment to the motion for which they can now have a discussion on during which time the County Judge may have another proposal to be considered.
- 17.7 B. Pond asked if the Quorum Court could hear Judge Edward's other proposal before voting on the amendment to the motion on the floor; to which G. Butler stated that he felt this would be fine for discussion purposes.
- 17.8 E. Madison questioned if Judge Edwards could bring up her proposal even if it was not a part of the amendment; to which G. Butler repeated that it could be as part of that discussion.
- 17.9 **C. Clark asked for a point of order.**

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- 18.1 County Attorney George Butler stated that they needed to get together and lets hold this meeting and get this done instead of calling for point of order and complaining about what they can and cannot do.
- 18.2 C. Clark stated that she feels like she is being railroaded; and G. Butler responded that she was not being railroaded and everyone is raising points of order left and right so they cannot get a decision.
- 18.3 C. Clark interjected that she thought that is what they were supposed to do, to which G. Butler disagreed stating that he is their Parliamentarian and his ruling is that they are going to vote on E. Madison's amendment and the Judge can offer another proposal during the discussion of that amendment. He stated if they do not like his ruling, they can appeal to the chair.
- 18.4 C. Clark stated that they can do this right or do it as G. Butler has ruled and appealed to Judge Edwards; to which Judge Edwards responded that County Attorney Butler is her Parliamentarian and she has to follow suit.
- 18.5 **R. Cochran made a motion to amend E. Madison's amendment, collapsing County Services with Public Works as one committee, collapse Jail/Law Enforcement/Courts and Personnel as one committee, along with Finance for a total of three standing committees along with a Budget of the Whole; with the number of members serving on each committee left to the County Judge. B. Pond seconded.**
- 18.6 R. Cochran gave his reasoning that he has served on County Services and Public Works Committees over the last two years and there have been a lot of meetings where one or the other had no agenda and the other had 15-20 minutes worth of work, so if they collapse some of these together, it would create less effort.
- 18.7 E. Madison spoke to R. Cochran's amendment, stating that the efficiency is correct, but she does not know why they cannot do this by effectively having both of these meetings on the same day. She does not know why merging the committees and diluting the subject matter of the committees helps when they can effectively do exactly what he is saying by having these committees meet on the same day rather than merging the committees.
- 18.8 B. Pond stated that he has heard it commented that it was questionable whether or not they could actually piggyback meetings and not take pay for both meetings and he believes that by merging these committees together like proposed, they would not have that issue.

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- 19.1 County Attorney George Butler noted that it is a per diem, so they would just get paid per day and not per meeting.
- 19.2 County Attorney George Butler stated that they first need to vote on R. Cochran's amendment following any further discussion on the same.
- 19.3 J. Patterson stated that he believes that even though the Public Works Committee hardly met more than six times this past year, this Committee needs to stand on its own merits. County Judge Hunton nearly wore him out during the times of the renovation of the Courts Building and other construction projects and these were large money issues. He felt that a committee needed to just deal with public works.
- 19.4 Judge Edwards stated that as far as she can see, they are pretty much through with building projects for a while and therefore, the Public Works Committee would not be as busy as in the past.
- 19.5 J. Firmin stated that the idea of piggybacking these committees as before makes sense from a time and money standpoint, because if they do not need to meet then they don't, so he would tend to agree with this option.
- 19.6 T. Lundstrum agreed with J. Firmin.
- 19.7 **With no further discussion Judge Edwards called for a vote on R. Cochran's amendment to E. Madison's amendment.**
- 19.8 **VOTING FOR: R. Aman, H. Bowman, R. Cochran, A. Harbison, B. Pond, M. Spears, and B. Ussery. VOTING AGAINST: R. Bailey, C. Clark, J. Firmin, T. Lundstrum, E. Madison, J. Mardis, and J. Patterson. ABSTENTION: B. Fitzpatrick. **The motion to amend failed with seven members voting in favor, seven members voting against the motion, and one abstention.****
- 19.9 **A five-minute recess was taken at this time.**
- 19.10 Upon reconvening, County Attorney George Butler apologized to the Court for getting angry and yelling, and for specifically yelling at C. Clark as he was not angry at her, but simply frustrated at the situation. He stated that C. Clark is a good friend and very esteemed member of the Quorum Court and she did not deserve that; to which C. Clark thanked G. Butler for the apology.
- 19.11 County Attorney George Butler stated that they are now ready to vote on E. Madison's amendment and he restated it as such: to merge do away with the

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IT and Legislative Affairs Committees; to merge Finance and Budget of the Whole Committees creating a Finance/Budget of the Whole Committee of the Whole with all 15 members; have County Services Committee with 8 members, Jail/Law Enforcement/Courts Committee with 8 members, Personnel Committee with 7 members, and Public Works Committee with 7 members

- 20.1 **B. Fitzpatrick made a motion to amend E. Madison's amendment to allow the County Judge to set the number of members on the committees. B. Pond seconded.**
- 20.2 E. Madison stated that her logic in this was an attempt to ensure that everyone is appointed to two committees and by setting that number is the only way that they can effectively ensure that; otherwise, it may be that some of them are not on the same number of committees.
- 20.3 C. Clark asked B. Fitzpatrick if she would accept a friendly amendment to keep the Finance Committee as a Committee of the Whole and let the County Judge pick the numbers on the other committees; to which B. Fitzpatrick agreed as did B. Pond as the second to the motion.
- 20.4 **G. Butler restated the motion now on the floor which is an amendment to E. Madison's amendment allowing the County Judge to set the number of members on the committees with the exception of the Finance Committee which would remain as a Committee of the Whole. B. Pond seconded.**
- 20.5 **A. Harbison made motion to amend B. Fitzpatrick's amendment to E. Madison's amendment that the County Judge would select the chair. B. Pond seconded.**
- 20.6 E. Madison stated that with all due respect to the County Judge, one thing she learned in her work with the Association of Arkansas Counties is that the chairmanships are actually the JP's duty. She stated that she never intended to come into this meeting tonight with some kind of power struggle which is how it has played out and she apologizes to Judge Edwards, County Attorney George Butler, and members of this Court. She reiterated that she has been working for several months to try to figure out a way to make their committee structure more efficient and less expensive. She stated that it was never about whose power it was, but rather how she has been educated on what powers belong to whom and that is all it has been. E. Madison stated that it was never her intent to step on anybody's toes, but just simply a way to report that they can do this and they have not been doing it. Given that, she is a

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little reluctant to give away a power that the JPs have because they are elected to do their job; who gets to be the chair of committees is important and that power belongs to the JPS and she does not believe that they should give it away. Therefore, she would like to see that power remain with the JPs.

- 21.1 County Attorney George Butler made a legal point stating that he talked with Mark Whitmore and Wes Fowler at the AAC about chairmanships, and this actually comes from Roberts Rules because State law does not require it and the Attorney General has never spoken to it. He stated that they have adopted Roberts Rules unless they pass an ordinance that changes the same.
- 21.2 B. Pond stated that since the "power" word has been mentioned, he believes that they have responsibility and capability, and if state law gives them the "power", they might also have the choice or the power to honor the County Judge's wish in this matter which they always have done in the past. He prefers relying on her judgment to make the appointments like has been done in the past and sees the same as etiquette and shows his appreciation for the County Judge and the job that she has done for their county.
- 21.3 A. Harbison stated that E. Madison states that the JPs have the responsibility and power to do this, but they really do not because it is not clear in state law. She stated that it has been repeated and repeated that they might have this power and could have this power, but what she is saying is not in law.
- 21.4 R. Bailey stated he does not like the word power. If they have adopted Roberts Rules of Order, he believes that they should go by that.
- 21.5 J. Firmin stated that E. Madison makes a good point as for one thing the County Judge will not always be here and by establishing a new precedent does not have to be personal and in the future would give them more control over their committees. He appreciates her bringing this up, but he will respectfully support Judge Edward's request as she has made these appointments in the past. He agrees with a lot of things B. Pond says and he frankly does not think it is a big deal either way.
- 21.6 E. Madison stated that she will give her legal opinion on this. The Constitution, Amendment 55, clearly says what powers the JPs have and one of those powers is to manage their own affairs except as otherwise provided by law. The statutes that were enacted when Amendment 55 was passed say that the County Judge has the power to appoint committees and anything else belongs to the JPs. While they say that the law does not expressly say it, her legal interpretation of those provisions is that the power to appoint or elect

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their own chairs does reside with the committees themselves. She stated that the law may not expressly state it, but by implication that duty does reside with the committee.

- 22.1 County Attorney George Butler addressed E. Madison stating that he disagrees with her statement legally because it strictly comes from Roberts Rules, and he has spoken to the Association of Arkansas Counties about it and he has looked it up in Roberts Rules. He stated that it is therefore a Roberts Rule which they can choose to follow or not. He is the one that is paid to give the Quorum Court a legal opinion and the Quorum Court can take his opinion or not.
- 22.2 County Attorney George Butler stated that they now have an amendment for the County Judge to set the number of committee members with a Finance Committee of the Whole as it is with 15 members; and further a motion to allow the County Judge to appoint the chair. It was agreed that these would be accepted as friendly amendments to the motion to amend if it will get them out of this meeting faster. G. Butler further clarified that they are voting on the amendment to E. Madison's ordinance.
- 22.3 E. Madison corrected G. Butler stating that technically they are still voting on her amendment to A. Harbison's original motion, and not her ordinance.
- 22.4 In response to G. Butler's question about her original motion, A. Harbison stated that her original motion was that the County Judge would be allowed to set the number of committee members and appoint chairs.
- 22.5 G. Butler asked whether A. Harbison was willing to accept the friendly amendments to her motion made by B. Fitzpatrick which allows the County Judge to appoint the number and chairs of committees and keep the Finance Committee as a Committee of the Whole.
- 22.6 At the request of C. Clark, County Attorney George Butler again repeated the motion that they are now voting on and verified that they were all accepted as friendly amendments. He noted that A. Harbison made the original motion and then E. Madison amended it to fall within the parameters of her ordinance.
- 22.7 E. Madison stated that they are first voting on a combination of B. Fitzpatrick and A. Harbison's amendments and then they will go back if necessary and vote on her amendment, followed by A. Harbison's original motion.
- 22.8 County Attorney George Butler stated that A. Harbison has accepted all of the other amendments that were made to her amendments; and B. Fitzpatrick

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and A. Harbison's motions to amend were amendments to her amendments which E. Madison will have to accept. Therefore, they are voting on the latest amendment first.

- 23.1 At the request of Judge Edwards, Court Secretary Karen Beeks stated that they need to vote on the amendment to the amendment to allow the County Judge to set the number of committee members with Finance Committee remaining as a Committee of the Whole and the County Judge appointing its chair.
- 23.2 C. Clark asked a point of information if they would eventually be taking ordinance #9.1; to which County Attorney George Butler responded that E. Madison has decided not to and instead has offered her ordinance in the form of a motion.
- 23.3 E. Madison noted that there was still an article in her ordinance that they have not covered.
- 23.4 **With no further discussion, Judge Edwards called for a vote on the motion to amend the amendment as set out above.**
- 23.5 **VOTING FOR:** H. Bowman, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, B. Pond, M. Spears, and B. Ussery. **VOTING AGAINST:** R. Bailey, C. Clark, T. Lundstrum, E. Madison, J. Mardis, and J. Patterson. **ABSTENTION:** R. Amen. **The motion passed with eight members voting in favor, six members voting against the motion, and one abstention.**
- 23.6 G. Butler explained that what they just approved was that Judge Edwards appointing the chairs; setting the numbers of members on committees; a Finance Committee that will consist of all 15 JPs which will also function as the Budget Committee, also known as the Committee of the Whole.
- 23.7 Court Secretary Karen Beeks stated that they are now voting on the amendment as it was just amended to do as set forth in the ordinance and G. Butler noted that A. Harbison's motion has now been amended, so now it is a question of passing E. Madison's motion as amended.
- 23.8 Court Secretary Karen Beeks reviewed E. Madison's motion as amended whereby they will have the County Services, Jail/Law Enforcement/Courts, Personnel and Public Works Committees, and the Finance Committee will have all 15 members of the Quorum Court and shall also function as the Budget Committee.

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- 24.1 E. Madison pointed out that they might as well merge A. Harbison's motion now because it is not her motion; to which Attorney Butler responded that A. Harbison has accepted all amendments to her motion so it has all merged.
- 24.2 County Attorney Butler further explained that earlier R. Cochran's motion failed and they will not be combining any committees. He repeated Ms. Beeks explanation of E. Madison's motion as amended, adding that included with that and already passed is that the County Judge will be setting the number of members in each committee and appoint the chairman.
- 24.3 E. Madison asked a point of information since they have adopted Roberts Rules of Order by ordinance which would have been passed on three readings, because this effectively rejects a provision of Roberts Rules of Order and asked whether they could do this by simple motion or did they need revoke part of Roberts Rules.
- 24.4 B. Pond stated that they need to keep in mind that this is not an ordinance; and County Attorney George Butler stated that this is a motion and what E. Madison is saying is that they have adopted Roberts Rules of Order by ordinance and do they need to amend their ordinance.
- 24.5 After taking a moment to review the Code or Ordinances, County Attorney George Butler stated that their ordinance states that they can change them just by a majority vote.
- 24.6 **G. Butler clarified that the motion as amended on the floor was establishing a County Services Committee, a Jail/Law Enforcement/Courts Committee, a Personnel Committee, a Public Works Committees, and a Finance Committee that will consist of all 15 and shall also function as the Budget Committee; County Judge will set the number of committee members and appoint the chair.**
- 24.7 **With no further discussion, Judge Edwards called for a vote on the motion on the floor as restated by G. Butler.**
- 24.8 **VOTING FOR: R. Bailey, H. Bowman, J. Firmin, B. Fitzpatrick, A. Harbison, B. Pond, M. Spears, and B. Ussery. VOTING AGAINST: R. Aman, C. Clark, R. Cochran, T. Lundstrum, E. Madison, J. Mardis, and J. Patterson. The motion passed with eight members voting in favor and seven members voting against the motion.**
- 24.9 **R. Aman made a motion to amend whereby the committees will each elect their chairman. E. Madison seconded.**

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- 25.1 In response to further procedural questions, County Attorney Butler explained that rather than having another amendment to an amendment, it is better that they get this passed and then make any amendments which makes more sense procedurally than following Roberts Rules of Order.
- 25.2 **With no further discussion, Judge Edwards called for a vote on R. Aman's motion to amend.**
- 25.3 **VOTING FOR:** R. Aman, R. Bailey, H. Bowman, C. Clark, R. Cochran, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, and B. Ussery. **VOTING AGAINST:** J. Firmin, B. Fitzpatrick, A. Harbison, B. Pond, and M. Spears. **The motion passed with ten members voting in favor and five members voting against the motion.**
- 25.4 A. Harbison questioned how they can pass this when they have already passed it the other way; to which County Attorney Butler explained that they can supersede a motion by an amendment or another motion. He again reviewed what they have voted on as far as committee structure.
- 25.5 E. Madison withdrew Ordinance #9.1 from consideration.
- 25.6 **SELECTION OF REPRESENTATIVE TO SERVE ON THE ARKANSAS ASSOCIATION OF QUORUM COURTS FOR THE 2013/2014 TERM:** Judge Edwards stated that the Quorum Court needs to select a JP to serve as its representative to the Arkansas Association of Quorum Courts for this year term.
- 25.7 **A. Harbison nominated H. Bowman to serve as the Quorum Court's representative on the Arkansas Association Of Quorum Courts for the 2013/2014 Term. B. Pond seconded.**
- 25.8 **C. Clark nominated E. Madison to serve as this Quorum Court's representative on the Arkansas Association Of Quorum Courts for the 2013/2014 Term. T. Lundstrum seconded.**
- 25.9 County Attorney George Butler stated that they should vote for either H. Bowman or E. Madison to serve as the Quorum Court's representative.
- 25.10 E. Madison stated that she has had the pleasure serving as the Quorum Court's representative on the Arkansas Association of Counties for the past two years and has been very involved. She reported on the Arkansas Association of Counties, has attended the annual Quorum Court meetings and the annual Association of Counties meetings. As a result of her work, she was then appointed to the Legislative Committee for the Association of

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Counties. On that committee, because of her service on the Association of Quorum Courts, she was one of just three JPs statewide and the only Washington County representative on the Legislative Committee. With all due respect to Mr. Bowman, E. Madison stated her desire to keep her position as she enjoys this work very much and believes that it has given them a lot of advantage in how they use their Association of Counties services. If it is the pleasure of the court, she would be happy to continue serving.

- 26.1 A. Harbison stated as the JP who nominated H. Bowman to serve as the Quorum Court's representative on the Arkansas Association of Quorum Courts, she believes that they need to pass around responsibilities. Since JP Bowman is new to the court, this could be a good time for him to get his feet wet so to speak. He is retired, has the time, and is very capable of attending the meetings and bringing back information that this court needs.
- 26.2 County Attorney George Butler explained for this roll call, the JPs should vote for H. Bowman or E. Madison, and it will take a simple majority to be nominated.
- 26.3 H. Bowman stated that he is appreciative of the nomination. Though he is not familiar with what this would require or the expectations, he concurred that he does have the time and if it is the court's decision to nominate him as their representative, he will be glad to serve.
- 26.4 Judge Edwards asked for a roll call vote on the two nominations.
- 26.5 Voting for JP Bowman: R. Aman, J. Firmin, A. Harbison, B. Pond, and M. Spears. Voting for JP Madison: R. Bailey, C. Clark, B. Fitzpatrick, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, and B. Ussery. Absention: H. Bowman, and R. Cochran. **JP Madison was nominated to serve as the Quorum Court's representative on the Arkansas Association of Counties with receiving 8 votes to JP Bowman's 5 votes, with two abstentions.**
- 26.6 QUORUM COURT COMMITTEE APPOINTMENTS: Judge Edwards announced the following appointments to the Committee's established by the Quorum Court with the number serving on each Committee as E. Madison wanted:
- County Services Committee (8) – Barbara Fitzpatrick, Joe Patterson, Jimmy Mardis, Rex Bailey, Tom Lundstrum, John Firmin, Eva Madison, and Ron Aman.

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Jail/Law Enforcement/Courts Committee (8) - Butch Pond, Joe Patterson, Candy Clark, Rex Bailey, Tom Lundstrum, Ron Aman, Bill Ussery, and Rick Cochran.

Personnel Committee (7) - Mary Ann Spears, Harvey Bowman, Butch Pond, Barbara Fitzpatrick, Ann Harbison, Candy Clark, and Jimmy Mardis.

Public Works Committee (7) - Ann Harbison, Harvey Bowman, John Firmin, Mary Ann Spears, Rick Cochran, Bill Ussery, and Eva Madison.

Finance Committee of the Whole - All 15 JPs will serve on this committee.

- 27.1 With respect to appointing the Chair of the committees, County Attorney George Butler stated that they could be appointed now but suggested that it would probably be better to do this at their first committee meetings which dates needed to be determined.
- 27.2 Court Secretary Karen Beeks recommended that for their initial committee meetings they meet according to the previous term's schedule; and at that meeting, they can review the calendar and decide whether that needed to be changed to meet everyone's schedules.
- 27.3 With that recommendation, Karen Beeks provided the following meeting dates with the next regular Quorum Court meeting on the third Thursday of the month which is February 21: Finance Committee on February 19; Personnel and Jail/Law Enforcement/Courts Committees on February 11; and County Services and Public Works Committees on February 4. She noted that the full Quorum Court meetings begin at 6:00 p.m. with Committee meeting nights beginning at 5:30 p.m.
- 27.4 C. Clark asked whether they should wait until February 19 for their first Finance Committee meeting to which Judge Edwards responded that most of the time at this time of the year, other than a report from the County Treasurer and maybe some clean-up appropriation ordinances, there is not many items to be concerned about.
- 27.5 B. Fitzpatrick reiterated a comment made previously by R. Cochran that the reason that they moved their full Quorum Court meetings to the third Thursday from the second Thursday of the month was to allow for all reports and minutes to get in the packet. Points raised earlier this evening are also quite valid about having to wait until the night of the Quorum Court meeting to actually get the minutes from the Finance Committee meeting. She stated that they will discuss this at that first Finance Committee meeting, but asked whether the reports and minutes would be ready in time if they changed the

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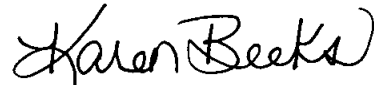
meeting from the Tuesday prior to the Quorum Court meeting, they had the Finance Committee meeting on the Thursday prior to the Quorum Court meeting.

- 28.1 Court Secretary Karen Beeks responded to M. Spears stating that this would be possible and most of the time, the Finance Committee minutes and reports could be ready by the second Tuesday or nine days prior to the Quorum Court meeting. She further stated that they could also consider moving the Quorum Court meetings to the fourth Thursday of the month as well.
- 28.2 B. Fitzpatrick stated that she likes the Quorum Court meetings on the third Thursday of the month, but since the Finance Committee will be a Committee of the Whole, she wanted everyone to be thinking about backing up the Finance Committee so that they get behind that Friday before their meeting so that everything can be published and there is only one packet.
- 28.3 Court Secretary Karen Beeks stated if everyone was in agreement, they could even go ahead and move the Finance Committee meeting from Tuesday, February 19, to Thursday, February 12.
- 28.4 **A motion was made and seconded that the initial committee meetings be scheduled as follows: County Services and Public Works Committees - February 4; Personnel and Jail/Law Enforcement/Courts Committees - February 11; and Finance Committee - February 12. The motion passed unanimously.**
- 28.5 H. Bowman stated that this meeting tonight was easily one of the most confusing business sessions he has ever participated in during his lifetime and he requested that for future meetings of this type, that the ordinances, amendments or proposals be posted on a board so that they can review the same and ensure that everyone is on the same page. This could simplify the process.
- 28.6 Court Secretary Karen Beeks indicated that she would work towards making this happen.
- 28.7 Judge Edwards stated that the JPs should feel free to call Ms. Beeks if they have any questions.
- 28.8 **OTHER BUSINESS:** Comptroller Cheryl Bolinger noted that everyone received a copy of the adopted 2013 County Budget and asked that she be contacted if there were any questions.

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- 29.1 Judge Edwards also suggested that anyone should feel free to go by and visit with County Treasurer Roger Haney who can teach you more in a few minutes than you can learn on this court in six months.
- 29.2 CITIZEN COMMENTS: There were no citizen comments made.
- 29.3 ADJOURNMENT: The meeting adjourned at 8:35 p.m.

Respectfully submitted,



Karen M. Beeks
Quorum Court Coordinator/Reporter