



MARILYN EDWARDS  
County Judge

280 North College, Suite 500  
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS  
County Courthouse

August 9, 2013

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

Thursday, August 15, 2013  
6:00 p.m.  
Washington County Quorum Court Room

**A G E N D A**

1. **CALL TO ORDER.** **JUDGE EDWARDS**
2. **PRAYER AND PLEDGE OF ALLEGIANCE.**
3. **ROLL CALL.**
4. **ADOPTION OF AGENDA.** At the beginning of each meeting, the agenda shall be approved. Any JP may request an item be added to the agenda subject to approval of the Quorum Court.
5. **APPROVAL OF MINUTES.** Approval of the minutes of the July 18 regular meeting of the Quorum Court. **(5.1)**
6. **FINANCE REPORT.** **CANDY CLARK**
  - 6.1 **A RESOLUTION AUTHORIZING THE WASHINGTON COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE ARKANSAS RURAL DEVELOPMENT COMMISSION ON BEHALF OF THE SUNSET RURAL FIRE DEPARTMENT.**
  - 6.2 **A RESOLUTION ENDORSING THE PARTICIPATION OF ORC PRODUCTS, INC., IN THE SALES AND USE TAX REFUND PROGRAM AUTHORIZED BY THE CONSOLIDATED INCENTIVE ACT OF 2003 AND ARK. CODE ANN. §15-4-2706(d).**

- 6.3 APPROPRIATION ORDINANCE: AN ORDINANCE TRANSFERRING MONIES OF \$9,375 WITHIN THE BUILDINGS & GROUNDS BUDGET IN THE GENERAL FUND FOR 2013.**
- 6.4 APPROPRIATION ORDINANCE: AN ORDINANCE TRANSFERRING MONIES OF \$64,693 WITHIN THE BUILDINGS & GROUNDS BUDGET IN THE GENERAL FUND FOR 2013.**
- 6.5 APPROPRIATION ORDINANCE: AN ORDINANCE APPROPRIATING \$93,960 FROM THE GENERAL FUND TO THE PLANNING BUDGET FOR 2013.**
- 6.6 APPROPRIATION ORDINANCE: AN ORDINANCE SUSPENDING BUDGET CONTROLS AND CREATING ADDITIONAL PERSONNEL POSITIONS IN THE ANIMAL SHELTER BUDGET; AND APPROPRIATING THE TOTAL AMOUNT OF \$69,406 FROM THE GENERAL FUND FOR SAID POSITIONS FOR 2013.**
- 6.7 APPROPRIATION ORDINANCE: AN ORDINANCE TRANSFERRING MONIES OF \$10,000 WITHIN THE CIRCUIT COURT III – JUVENILE DIVISION BUDGET IN THE GENERAL FUND FOR 2013.**
- 6.8 APPROPRIATION ORDINANCE: AN ORDINANCE APPROPRIATING \$10,000 FROM THE GENERAL FUND TO THE ENVIRONMENTAL AFFAIRS BUDGET FOR 2013.**
- 6.9 APPROPRIATION ORDINANCE: AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$325,000 IN THE DRUG COURT GRANT FUND; AND APPROPRIATING THE AMOUNT OF \$325,000 FROM THE DRUG COURT GRANT FUND TO THE SAMHSA-2 GRANT BUDGET FOR 2013.**

**7. COUNTY JUDGE'S REPORT.**

**JUDGE EDWARDS**

**8. COMMITTEE REPORTS. (8.1-8.7)**

**8.1 AMENDMENTS TO THE EMPLOYEE HANDBOOK.**

The Personnel Committee is recommending proposed amendments pertaining to the Grievance Procedures Policy and Employee Grievance Hearing Policy. Changes to the Employee Handbook must be approved by a majority vote of the full Quorum Court. (8.1)

**BUTCH POND**

**8.2 CORRECTIONS TO THE JANUARY 2013 SALARY ADJUSTMENTS.** This proposed correction is being recommended by the Finance Committee. (8.2)

**CANDY CLARK**

**9. A RESOLUTION INSISTING THAT THE UNITED STATES CONGRESS APPROPRIATE SUFFICIENT FUNDS TO CLEAN UP SEFOR.** This resolution is being recommended by the County Services Committee. (9.1)

**ANN HARBISON**

**10. A RESOLUTION RECOGNIZING A VACANCY IN QUORUM COURT DISTRICT #10 NOW HELD BY MARY ANN SPEARS.** Mary Ann Spears has submitted her resignation effective August 31. (10 .1)

**BUTCH POND**

**11. A RESOLUTION TO EXPRESS APPRECIATION OF THE QUORUM COURT TO MARY ANN SPEARS FOR SERVICE AS A JUSTICE OF THE PEACE. (11 .1)**

**BUTCH POND**

**12. OTHER BUSINESS.**

**13. CITIZEN'S COMMENTS.** Fifteen-minute comment period with a three-minute limit for each individual to comment on items on the agenda or other items

**14. ADJOURNMENT.**

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

Thursday, July 18, 2013  
6:00 p.m.

Washington County Quorum Court Room

- 184.1 The Washington County Quorum Court met in regular session on Thursday, July 18, 2013. The meeting was called to order by County Judge Marilyn Edwards.
- 184.2 E. Madison led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 184.3 MEMBERS PRESENT: Rex Bailey, Harvey Bowman, Candy Clark, Rick Cochran, John Firmin, Barbara Fitzpatrick, Ann Harbison, Tom Lundstrum, Eva Madison, Jimmy Mardis, Butch Pond, Mary Ann Spears, and Bill Ussery.
- 184.4 MEMBERS ABSENT: Ron Aman and Joe Patterson.
- 184.5 OTHERS PRESENT: County Judge Marilyn Edwards, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 184.6 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 184.7 **A motion was made and seconded to adopt the agenda as distributed. The motion passed unanimously by voice vote by those present. The agenda was adopted as distributed.**
- 184.8 APPROVAL OF MINUTES: Judge Edwards asked for approval of the minutes of the June 20 regular meeting and the June 24 special meeting of the Washington County Quorum Court.
- 184.9 **A motion was made and seconded to approve the minutes as distributed. The motion passed unanimously by voice vote by those present. The minutes were approved.**
- 184.10 A RESOLUTION AUTHORIZING ALBERT NOLAN PENNINGTON TO SOLEMNIZE THE MARRIAGE OF SHAD WOODS AND SHAWN BACQUE ON AUGUST 24, 2013, IN WASHINGTON COUNTY, ARKANSAS: A. Harbison introduced and read **A Resolution Authorizing Albert Nolan Pennington To Solemnize The Marriage Of Shad Woods And Shawn Bacque On August 24, 2013, In Washington County, Arkansas.**

- 185.1 **B. Pond made a motion to suspend the rules and read all resolutions and ordinances by title only. R. Bailey seconded. The motion passed unanimously by those present by voice vote.**
- 185.2 **A. Harbison made a motion to adopt the resolution. B. Pond seconded.**
- 185.3 Citizen Comments: There were no citizen comments made.
- 185.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 185.5 VOTING FOR: T. Lundstrum, E. Madison, J. Mardis, B. Pond, M. Spears, B. Ussery, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, and A. Harbison. **The motion passed unanimously by those present. The resolution was adopted.**

**RESOLUTION NO. 2013-12, BOOK NO. 3, PAGE NO. 52**

- 185.6 FINANCE REPORT: C. Clark reported that there were five appropriation ordinances on the agenda tonight that had been thoroughly discussed and forwarded from the Finance and Budget Committee.
- 185.7 AN ORDINANCE REDUCING THE AMOUNT OF \$30,273 FROM FULL-TIME SALARY LINE ITEMS IN VARIOUS COUNTY BUDGETS AND RESTORING THOSE FUNDS TO UNAPPROPRIATED RESERVES; APPROPRIATING THE AMOUNT OF \$25,073 FROM UNAPPROPRIATED RESERVES TO VARIOUS BUDGETS; AND, SUSPENDING BUDGET CONTROLS AND ANY APPLICABLE JESAP POLICIES TO CHANGE THE TITLE OF COMMUNITY RESOURCE PROGRAM COORDINATOR TO JUVENILE OFFICER IN THE JUVENILE COURT BUDGET OF THE GENERAL FUND FOR 2013: C. Clark introduced and read **An Ordinance Reducing The Amount Of \$30,273 From Full-Time Salary Line Items In Various County Budgets And Restoring Those Funds To Unappropriated Reserves; Appropriating The Amount Of \$25,073 From Unappropriated Reserves To Various Budgets; And, Suspending Budget Controls And Any Applicable JESAP Policies To Change The Title Of Community Resource Program Coordinator To Juvenile Officer In The Juvenile Court Budget Of The General Fund For 2013.**
- 185.8 **C. Clark made a motion to adopt the ordinance. R. Bailey seconded.**
- 185.9 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

- 186.1 **VOTING FOR:** T. Lundstrum, E. Madison, J. Mardis, B. Pond, M. Spears, B. Ussery, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, and A. Harbison. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2013-39, BOOK NO. 9, PAGE NO. 223**

- 186.2 **AN ORDINANCE RECOGNIZING AND APPROPRIATING REVENUES OF \$80,192 IN VARIOUS COUNTY FUNDS FOR 2013:** C. Clark introduced and read **An Ordinance Recognizing And Appropriating Revenues Of \$80,192 In Various County Funds For 2013.**

- 186.3 **C. Clark made a motion to adopt the ordinance. R. Cochran seconded.**

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

- 186.5 **VOTING FOR:** T. Lundstrum, E. Madison, J. Mardis, B. Pond, M. Spears, B. Ussery, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, and A. Harbison. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2013-40, BOOK NO. 9, PAGE NO. 226**

- 186.6 Judge Edwards stated as she had previously been asked about their Environmental Affairs Director, she wanted to take this opportunity to recognize and introduce Sophia Stephenson.

- 186.7 **AN ORDINANCE APPROPRIATING THE AMOUNT OF \$39,600 FROM THE GENERAL FUND TO THE ENVIRONMENTAL AFFAIRS BUDGET FOR 2013:** C. Clark introduced and read **An Ordinance Appropriating The Amount Of \$39,600 From The General Fund To The Environmental Affairs Budget For 2013.**

- 186.8 **C. Clark made a motion to adopt the ordinance. J. Mardis seconded.**

- 186.9 A. Harbison stated, for the public's information, that this is storm water funds. It is for areas where there are 1000 people per square mile. This particular area has been mapped, and that is what that money is for.

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

- 187.1 **VOTING FOR:** T. Lundstrum, E. Madison, J. Mardis, B. Pond, M. Spears, B. Ussey, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, and A. Harbison. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2013-41, BOOK NO. 9, PAGE NO. 227**

- 187.2 **AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF \$13,685 IN THE LAW ENFORCEMENT GRANT FUND FOR 2013; AND APPROPRIATING \$13,685 FROM THE LAW ENFORCEMENT GRANT FUND TO THE JAG GRANT 2013 BUDGET FOR 2013:** C. Clark introduced and read **An Ordinance Recognizing Additional Revenue Of \$13,685 In The Law Enforcement Grant Fund For 2013; And Appropriating \$13,685 From The Law Enforcement Grant Fund To The JAG Grant 2013 Budget For 2013.**

- 187.3 **C. Clark made a motion to adopt the ordinance. R. Cochran seconded.**

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

- 187.5 **VOTING FOR:** T. Lundstrum, E. Madison, J. Mardis, B. Pond, M. Spears, B. Ussey, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, and A. Harbison. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2013-42, BOOK NO. 9, PAGE NO. 228**

- 187.6 **AN ORDINANCE RECOGNIZING ADDITIONAL REVENUE OF \$9,993 IN THE VOTING SYSTEMS GRANT FUND FOR 2013; AND APPROPRIATING \$9,993 FROM THE VOTING SYSTEMS GRANT FUND TO THE VOTING SYSTEMS GRANT 2013 BUDGET FOR 2013:** C. Clark introduced and read **An Ordinance Recognizing Additional Revenue Of \$9,993 In The Voting Systems Grant Fund For 2013; And Appropriating \$9,993 From The Voting Systems Grant Fund To The Voting Systems Grant 2013 Budget For 2013.**

- 187.7 **C. Clark made a motion to adopt the ordinance. R. Bailey seconded.**

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

- 188.1 **VOTING FOR:** T. Lundstrum, E. Madison, J. Mardis, B. Pond, M. Spears, B. Ussery, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, and A. Harbison. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2013-43, BOOK NO. 9, PAGE NO. 229**

- 188.2 **COUNTY JUDGE'S REPORT:** Judge Edwards stated that she is requesting confirmation of the reappointments of Sharman Sturchio, John Sutherland, and John Squires to Washington County seats on the Northwest Arkansas Regional HIV Clinic Board. She noted that these gentlemen have each served a partial term on the Board which was created in 2011.
- 188.3 **R. Bailey made a motion to confirm the three reappointments to Washington County seats on the Northwest Arkansas Regional HIV Clinic Board. C. Clark seconded. The motion passed unanimously by those present by voice vote. The reappointments were confirmed.**
- 188.4 Judge Edwards stated as required by Arkansas Code, she has distributed a memorandum to the Quorum Court regarding the disposal of personal property that is no longer of value to the County. She noted that no action was required.
- 188.5 In response to a question from C. Clark about how the county disposes of this property, Judge Edwards explained that the majority of the property was disposed of through court orders over a period of time with the first being on February 4, 2013.
- 188.6 Judge Edwards reported that the Road Department continues to work on Kinion Lake Road, CR 612. She stated that chip seal projects include Bunyard Road and Pete Lee Road.
- 188.7 Judge Edwards reported that the following roads are ready with base to chip seal this year: Thunder Mountain Road, Battlefield Park Road and Half of Kinion Lake Road. She noted that they are continuing to work on Wyman, CR 48 (east of Fayetteville), clearing trees and brush, shaping back slopes and hauling fill material before chip sealing will begin.



- 189.1 Judge Edwards explained that they currently have a lot of projects going on; these were projects that they designated last year to be completed this year, and in the same way, they will designate which will be the better projects for them to work on next year.
- 189.2 Judge Edwards reported that they have three state aid jobs this year: Wyman Road, Bush Valley Road and Blue Springs Road. She stated that Wyman Road and Bush Valley Road were bid in June. APAC won the bid for Bush Valley Road and has completed that job. She reported that Washington County Road Department was awarded the Wyman Road job. She noted once completed, the Wyman Road will go all the way from Fayetteville to the Goshen City limits.
- 189.3 Judge Edwards reported that the Road Department continues to work on the end walls and piers of the Harvey Dowell Bridge Replacement. They have the north end wall complete and will continue to build the middle piers and south end wall. Regarding the Woolsey Bridge Project, Judge Edwards stated that they have spoken with David Mayo from the AHTD last week who reported that they have sent it on for preliminary work.
- 189.4 R. Bailey inquired about the one lane bridge on Zion Road off of Butterfield Stagecoach Road to which Judge Edwards stated she believes that is on the very edge of the Fayetteville City limits and then the County picks up from there, but she will make some inquiries.
- 189.5 COMMITTEE REPORTS: Judge Edwards reported that the only committee that met this month was the Finance and Budget Committee.
- 189.6 C. Clark, Chairman of the Finance and Budget Committee reported that sales tax revenue was up this month.
- 189.7 AN ORDINANCE RATIFYING CONDITIONAL USE PERMITS GRANTED BY THE PLANNING AND ZONING BOARD: J. Mardis introduced and read **An Ordinance Ratifying Conditional Use Permits Granted By The Planning And Zoning Board.** The Planning Board granted a Conditional Use Permit on June 27 for Teen Challenge of NWA Expansion (Administration Building). This ordinance contains an emergency clause making it effective immediately upon passage.
- 189.8 Juliet Richey, County Planning Director, addressed the Quorum Court and explained that the Teen Challenge Ranch is very near the County Quarry in Morrow. She stated that they have been there for almost 30 years and are mainly operating on a piece of property that they lease from the State of

Arkansas on the site of the old Morrow School. She stated that there are some old buildings on the property that are very aged and as they want to expand their campus, it does not make sense to put a lot of money into those buildings since they do not own them. Ms. Richey stated that the Teen Challenge Ranch is a non-profit organization that helps troubled teen boys with a maximum population of 35 boys at any time. She stated that this is a beautiful setting where the boys reside and engage in many activities.

190.1 Ms. Richey reported that the Teen Challenge Ranch wants to build new facilities, not particularly with plans to increase their teen population but rather to provide a proper facility for counselors, a chapel, dining hall, and administration offices. She further noted that this will give them a nice place to hold their graduation ceremonies and the room that they have needed for a long time to operate. She stated that their future plans are to add some new residence halls and slowly move from the state owned property.

190.2 **J. Mardis made a motion to adopt the ordinance. R. Cochran seconded.**

190.3 Citizen Comments: There were no citizen comments made.

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

190.5 VOTING FOR: T. Lundstrum, E. Madison, J. Mardis, B. Pond, M. Spears, B. Ussery, R. Bailey, H. Bowman, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, and A. Harbison. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2013-44, BOOK NO. 9, PAGE NO. 230**

190.6 OTHER BUSINESS: There was no other business to discuss.

190.7 CITIZEN COMMENTS: There were no citizen comments made.

190.8 ADJOURNMENT: The meeting adjourned at 6:25 p.m.

Respectfully submitted,

Karen M. Beeks  
County Judge Executive Assistant

RESOLUTION NO. 2013-\_\_\_\_\_

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

A RESOLUTION AUTHORIZING THE WASHINGTON COUNTY JUDGE TO SUBMIT A GRANT REQUEST TO THE ARKANSAS RURAL DEVELOPMENT COMMISSION ON BEHALF OF THE SUNSET RURAL FIRE DEPARTMENT.

WHEREAS, the Washington County Quorum Court has determined that the Sunset Rural Fire Department meets eligibility requirements necessary to apply for a grant under the GIF Fire Protection Grant Program; and,

WHEREAS, the Sunset Rural Fire Department has presented plans to purchase Self Contained Breathing Apparatus units and to purchase and install a fire hydrant for use at a rural fire department substation to be constructed; and,

WHEREAS, the Quorum Court of Washington County recognizes the need for the project, concurs its importance, and supports the Sunset Rural Fire Department in its efforts to proceed with the same; and,

WHEREAS, no match funds are required.

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

ARTICLE 1. That the County Judge of Washington County is hereby authorized to submit an application of formal request to the Arkansas Rural Development Commission for the purpose of securing state grant funds in the amount of \$24,000 to aid and assist the Sunset Rural Fire Department in executing the proposed project described herein.

ARTICLE 2. That the County Judge of Washington County is further authorized to administer the grant funds for the same project.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_  
Date of Passage: \_\_\_\_\_  
Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_  
Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

**RESOLUTION NO. 2013-\_\_\_\_\_**

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

**A RESOLUTION ENDORSING THE PARTICIPATION OF ORC PRODUCTS, INC., IN THE SALES AND USE TAX REFUND PROGRAM AUTHORIZED BY THE CONSOLIDATED INCENTIVE ACT OF 2003 AND ARK. CODE ANN. §15-4-2706(d).**

**WHEREAS**, in order for a business to be eligible for the investment tax incentives contained in Ark. Code Ann. §15-4-2706(d), the governing body of the municipality in which the business is located must pass a resolution endorsing the participation of the business in the Tax Refund Program; and,

**WHEREAS**, Ark. Code Ann. §15-4-2706(d) provides that the governing body of the municipality must specify that the Department of Finance and Administration is authorized to refund local sales taxes to a business participating in the Tax Refund Program; and,

**WHEREAS**, ORC Products, Inc., of 683 Bain Street, Springdale, Arkansas, wishes to participate in, and be eligible for, the investment tax incentives contained in Ark. Code Ann. §15-4-2706(d), due to the construction of its facility in Washington County, Arkansas; and,

**WHEREAS**, ORC Products, Inc., has agreed to furnish Washington County all information necessary for its participation in the Tax Refund Program.

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

**ARTICLE 1.** That the participation of ORC Products, Inc., in the tax refund program contained in Ark. Code Ann. §15-4-2706(d) is hereby endorsed, and the Department of Finance and Administration is authorized to refund local sales taxes to ORC Products, Inc., and this resolution shall take effect immediately.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

ORDINANCE NO. 2013-\_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE TRANSFERRING MONIES OF  
\$9,375 WITHIN THE BUILDINGS & GROUNDS  
BUDGET IN THE GENERAL FUND FOR 2013.**

**ARTICLE 1.** The Parts & Repair Line Item of the Buildings & Grounds Budget in the General Fund (10000108-2023) is hereby reduced by \$9,375 for 2013.

**ARTICLE 2.** There is hereby appropriated the amount of \$9,375 from the General Fund to the Improvements Other Than Buildings Line Item in the Buildings & Grounds Budget (10000108-4003) for 2013.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_  
Date of Passage: \_\_\_\_\_  
Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_  
Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

ORDINANCE NO. 2013-\_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE TRANSFERRING MONIES OF  
\$64,693 WITHIN THE BUILDINGS & GROUNDS  
BUDGET IN THE GENERAL FUND FOR 2013.**

**ARTICLE 1.** The Parts & Repair Line Item of the Buildings & Grounds Budget in the General Fund (10000108-2023) is hereby reduced by \$64,693 for 2013.

**ARTICLE 2.** There is hereby appropriated the amount of \$64,693 from the General Fund to the following line items in the Buildings & Grounds Budget (10000108-4004) for 2013.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_  
Date of Passage: \_\_\_\_\_  
Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_  
Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

ORDINANCE NO. 2013-\_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE APPROPRIATING \$93,960  
FROM THE GENERAL FUND TO THE PLANNING  
BUDGET FOR 2013.**

**ARTICLE 1.** There is hereby appropriated the amount of \$93,960 from the General Fund to the Other Professional Services Line Item in the Planning Budget (10000110-3009) for 2013.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

ORDINANCE NO. 2013-\_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE SUSPENDING BUDGET CONTROLS  
AND CREATING ADDITIONAL PERSONNEL POSITIONS  
IN THE ANIMAL SHELTER BUDGET; AND  
APPROPRIATING THE TOTAL AMOUNT OF \$69,406  
FROM THE GENERAL FUND FOR SAID POSITIONS  
FOR 2013.**

**ARTICLE 1.** Budget Controls are hereby suspended and three  
(3) additional personnel positions are created in the Animal Shelter Budget of the General  
Fund (10000308) for 2013:

Animal Shelter:  
Veterinarian, Position 308050  
Vet Tech/Kennel Supervisor, Position 308040 (Grade 17)  
Kennel Supervisor, Position 3080008 (Grade 14)

**ARTICLE 2.** There is hereby appropriated the total amount of  
\$69,406 from the General Fund to the following personnel line items in the Animal Shelter  
Budget for 2013:

<u>Animal Shelter:</u>	
Full-time Salaries, Position 0308050 (10000308-1001)	\$ 28,847
Full-time Salaries, Position 0308040 (10000308-1001)	13,140
Full-time Salaries, Position 0308008 (10000308-1001)	11,420
Social Security Matching (10000308-1006)	4,087
Noncontributory Retirement (10000308-1008)	7,949
Health Insurance (10000308-1009)	2,591
Life Insurance (10000308-1016)	<u>1,372</u>
<b>TOTAL APPROPRIATION:</b>	<b><u>\$ 69,406</u></b>

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_



**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE TRANSFERRING MONIES OF  
\$10,000 WITHIN THE CIRCUIT COURT III –  
JUVENILE DIVISION BUDGET IN THE  
GENERAL FUND FOR 2013.**

**ARTICLE 1.** The following line items in the Circuit Court III –  
Juvenile Division Budget are hereby reduced by the total amount of \$10,000 for 2013:

<u>Circuit Court III – Juvenile Division</u>	
Other Professional Services (10000403-3009)	\$ 9,000
Dues and Memberships (10000403-3090)	<u>1,000</u>
<b>TOTAL REDUCTION:</b>	<b><u>\$ 10,000</u></b>

**ARTICLE 2.** There is hereby appropriated the amount of  
\$10,000 from the General Fund to the Part-time Salaries Line Item in the Circuit Court  
III – Juvenile Division Budget (10000403-1002) for 2013.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

ORDINANCE NO. 2013-\_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE APPROPRIATING \$10,000 FROM  
THE GENERAL FUND TO THE ENVIRONMENTAL  
AFFAIRS BUDGET FOR 2013.**

**ARTICLE 1.** There is hereby appropriated the amount of \$10,000 from the General Fund to the Dues/Memberships/Subscription Line Item in the Environmental Affairs Budget (10000702-3090) for 2013.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_  
Date of Passage: \_\_\_\_\_  
Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_  
Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

**APPROPRIATION ORDINANCE:**

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

**AN ORDINANCE ANTICIPATING ADDITIONAL  
REVENUES OF \$325,000 IN THE DRUG COURT  
GRANT FUND; AND APPROPRIATING THE  
AMOUNT OF \$325,000 FROM THE DRUG  
COURT GRANT FUND TO THE SAMHSA-2  
GRANT BUDGET FOR 2013.**

**ARTICLE 1.** There is hereby anticipated additional revenue of \$325,000 in the Other Federal Grants Revenue Line Item of the Drug Court Grant Fund (1903-7109) for 2013.

**ARTICLE 2.** There is hereby appropriated the amount of \$325,000 from the Drug Court Grant Fund to the following line items in the SAMHSA-2 Grant Budget for 2013:

<u>SAMHSA-2 Budget:</u>	
General Supplies (19030481-2001)	\$ 3,600
Medical/Dental/Hospital (19030481-3006)	189,486
Other Professional Services (19030481-3009)	70,887
Common Carrier (19030481-3031)	8,604
Dues and Membership (19030481-3090)	500
Meals and Lodging (19030481-3094)	16,533
Training and Education (19030481-3101)	12,190
Computer Software (19030481-3102)	<u>23,200</u>
<b>TOTAL APPROPRIATION:</b>	<b><u>\$ 325,000</u></b>

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_  
Date of Passage: \_\_\_\_\_  
Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_  
Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

**40. GRIEVANCE PROCEDURES:**

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

(Rev. July 9, 1998)

**GRIEVANCE HEARING PROCEDURE**

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

(Adopted October 8, 1998)

**41. EMPLOYEES GRIEVANCE HEARING:**

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**A. Availability of Property Right Hearings:**

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

**B. Availability of Liberty Right Hearings:**

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

C. Availability of Name Clearing Hearings:

1. Any claim that any employee's liberty interest in future Employment has been damaged as a result of any "stigmatizing charge" publicly communicated by the County must be timely asserted by the affected employee in accordance with this Employee Grievance Hearing Procedure, or it will be waived by the employee.  
(See appendix B)

D. Availability of Hearings Generally:

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

E. Time Requests for Formal Grievance Hearing:

1. It is the applicant's or employee's duty to request a grievance hearing.
2. The applicant or employee must timely file a written grievance hearing request after any claimed deprivation of the applicant's liberty or employee's liberty or property or any right to a hearing or to object to the deprivation shall be waived. (See Appendix B)
3. The grievance hearing request should state, in writing:
  - a. the grievance for which a hearing is requested;
  - b. the factual basis of the grievance; and
  - c. the relief sought.

4. The written grievance hearing request shall be delivered to the County Grievance Committee in care of the Human Resources Administrator no later than four-thirty (4:30) p.m. on the third full business day (weekends and holidays excluded) after any claimed deprivation for which a grievance hearing is requested.
5. Any dismissal decision shall automatically be a suspension with pay for three full business days (weekends and holidays excluded) during which time the employee subject to dismissal may request a pre-deprivation hearing, in which case the suspension with pay shall continue until the conclusion of the County Grievance Committee hearing. (In no case shall a suspension with pay status extend more than 14 days, unless the suspension with pay status is extended by decision of the County Grievance Committee). All accrued but unpaid leave time—e.g., vacation, compensatory time, etc.—will automatically run concurrent with the period of suspension with pay, unless the employee prevails in his or her grievance. Any discipline decision that will result in reduction or removal of pay or position shall automatically be deferred for three full business days (weekends and holidays excluded) during which time the employee subject to discipline may request a pre-deprivation hearing, in which case the deferral shall continue until the conclusion of the County Grievance Committee hearing.

**F. Hearing Procedures:**

1. **NOTICE:** After an employee requests a grievance hearing, the employee shall be notified of the date, time, and place of the hearing.
2. **SUSPENSION WITH PAY:** The grieving employee may be requested to perform duties for the benefit of the County with pay pending the outcome of the hearing.  
(Revised June 11<sup>th</sup>, 2009)
3. **HEARING RECORD:** The hearing shall be reported by a court reporter (not merely a tape recorder) for transcription upon request by either party at the expense of the requesting party.

4. PROCEDURAL RULES: At the hearing, on the records, the parties shall suggest any desired hearing procedures and state any complaints regarding: a) the notice; b) the date, time, or place of the hearing; c) the opportunity to refute fairly any charges; and d) the impartiality of the decision maker(s).
  
5. RULES OF PROCEDURE AND EVIDENCE: Formal rules of civil procedure or rules of evidence need not be followed but may be used as a guideline by the Committee: Informal rules of procedure and evidence (Ark. Code Ann. § 25-15-208) shall be followed:
  - a. witnesses shall testify under oath;
  - b. parties shall be allowed, at their own expense, to obtain and use legal counsel for representation;
  - c. parties shall be allowed to obtain and use the presence of witnesses for examination, cross-examination, and rebuttal; and
  - d. parties should be granted a reasonable continuance, if requested prior to the hearing in writing, and if reasonably necessary for stated reasons to prepare adequately for the hearing.
  - e. Any written evidence or other written material must be received by the Human Resource Director no later than one (1) week prior to the hearing; failure to comply with this may result in the Committee's refusal to consider such.
    1. Any written evidence or other written material must be submitted to the office of the Human Resources Director early enough for said office to reproduce such and make it available to the Grievance Committee no later than one (1) week prior to the hearing.
    2. Any request for information in the possession of any County office or department must be made in such time as will enable the office of the Human Resources Director to gather, reproduce, and have such available for the Grievance Committee no later than one (1) week prior to the hearings.



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

(Adopted Aug. 7, 2003)  
(Rev. Nov. 6, 2006)

## PROCEDURE; EVIDENCE:

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

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

(Adopted October 10, 2002)

6. **PUBLICATION:** The County Grievance Committee shall hear the evidence offered by the parties, hear any argument desired by the parties, and vote without public discussion or deliberation. Only the decision, and not the factual or legal reasons therefore, shall be announced publicly. The hearing shall be held in public if so required by the F.O.I.A.; however, the employee may, at any time, decline the hearing and accept the intended discipline or dismissal.
7. **CONFIRM IN WRITING:** After the hearing, the grieving applicant or employee shall be sent a letter stating the factual and legal basis found by the County Grievance Committee for any refusal or removal of pay or position.  
(Rev. June 14, 2001)

**G.**

1. The Human Resource Office shall set a date for the hearing and contact the Chairperson of the Quorum Court Personnel Committee and other members of the Committee. The Chairperson who shall preside over the hearing may designate another member of the committee or the Quorum Court to preside. In the event any member of the committee is unable to serve or cannot be contacted then the Human Resources Office shall contact other members of the Quorum Court to serve on the committee; whose name or names shall be drawn at random. If a committee cannot be empaneled then a new date shall be set for the hearing using the same procedure. The hearing may be continued by the Chairperson at the request of the grieving applicant or other interested party for good cause as determined by the chairperson or his designee.  
(Revised June 11<sup>th</sup>, 2009)
2. If the grievance is not yet resolved by the grievance committee, the issue may be settled through the judicial system. In case of alleged discrimination, the complainant may take his or her case to the U.S. Department of Labor's Equal Employment Opportunity Commission. The employee is reminded however, that in order to maintain the right to sue under Title VII of the 1964 Civil Rights Act, the employee must carefully comply with the charge-filing requirements of the Act even while the county's grievance hearing process continues.

- H.** "Nothing herein shall be construed to change the fact that employees are "at-will" employees and serve at the pleasure of the elected official as stated under Subparagraph B, Termination Section 210, page 5."

- I. \* Section 704(a) of the Civil Rights Act of 1964, as amended, and Section 4(d) of the Age Discrimination in Employment Act of 1967, as amended, state:
  - 1. It shall be unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice, made an unlawful employment practice by this title, or because he has made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under this title.
  
- J. The Equal Pay Act of 1963 contains similar provisions. Persons filing charges of discrimination are advised of this Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made.
  
- K. County Grievance Committee:
  - 1. The grievance committee shall be composed of the Quorum Court Personnel Committee or other members of the Quorum Court if any Personnel Committee person is unable to serve.
  
- L. Release of Employee Grievance Records:
  - 1. Public access to employee grievance records is authorized only if approved by the effected employee or authorized by the Arkansas Freedom of Information Act.  
(Rev. October 8, 1998)  
(Rev. October 10, 2002)  
(Rev. Nov. 6, 2006)

**At the August 6 meeting, the Finance & Budget Committee recommended the following to the Quorum Court for approval:**

To apply the 3% JESAP salary range adjustment before the 2013 \$.50 COLA raises, and to retroactively pay all employees who failed to receive an annual raise due to being capped at the 2012 Salary Range Maximum, but currently are within the 2013 salary ranges. These employees will receive the 2013 COLA raise of up to \$0.50, not to exceed the 2013 Salary Range caps. In addition, employees with 2 plus years of service that are now making less than the 1 year anniversary rate for their grade, due to the salary ranges being adjusted, will be moved to a compensatory rate equal to the 1 year anniversary rate, and the change will be applied retroactively to January 1<sup>st</sup>, 2013. The appropriation to accomplish this will be a part of the 3<sup>rd</sup> Quarter Housekeeping Ordinance.

/kb

8.2-A

Employees Negatively Impacted by the  
2013 Salary Range Adjustment

ID	Name	Gd	Title	Earnings	1 yr rate	Difference	Dept	Status	Hire Date
27314	CANTRELL, CECIL D.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	7/18/2011
27284	TAYLOR, DARRIN E.	12	ADULT DETENTION OFFICER	\$ 13.25	\$ 13.75	\$ (0.50)	SPECIAL SALES TAX-JAIL	Full Time	4/18/2011
01*20099	GARNER, THAD A.	12	ADULT DETENTION OFFICER	\$ 13.51	\$ 13.75	\$ (0.24)	SPECIAL SALES TAX-JAIL	Full Time	10/3/2011
27360	BZOSKI, PATRICK J.	12	ADULT DETENTION OFFICER	\$ 13.51	\$ 13.75	\$ (0.24)	SPECIAL SALES TAX-JAIL	Full Time	12/12/2011
27079	GUERRA, KARLA M.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	12/28/2009
27087	BUTLER, TIMOTHY L.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	2/15/2010
27136	JOHNSON, CAULEEN F.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	5/3/2010
27189	REEVES, KELLY R.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	8/2/2010
27241	MITCHELL, TREVOR J.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	11/15/2010
27255	FIELDS, CHRISTOPHER S.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	2/21/2011
27286	WRIGHT, MICHAEL T.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	4/25/2011
27298	WORKMAN, JERRY A.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	5/30/2011
27296	CARTER, DUSTIN L.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	5/31/2011
27300	MOBBS, TROY L.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	6/1/2011
27323	HARRIS, COREY R.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	8/8/2011
27324	SMITH, AARON M.	12	ADULT DETENTION OFFICER	\$ 13.53	\$ 13.75	\$ (0.22)	SPECIAL SALES TAX-JAIL	Full Time	8/8/2011
26089	SIMMONS, JOHN M.	12	ADULT DETENTION OFFICER	\$ 13.25	\$ 13.75	\$ (0.50)	SPECIAL SALES TAX-JAIL	Full Time	3/13/2006
01*82035	RISLEY, TRACEY L.	12	ADULT DETENTION OFFICER	\$ 13.60	\$ 13.75	\$ (0.15)	SPECIAL SALES TAX-JAIL	Full Time	8/8/2011

Cost to bring to \$13.75

\$ (9,339.20)

APERS:

\$ (1,329.90)

FICA:

\$ (714.45)

\$ (11,383.55)

8.2-B

**2012 Employee Raises:  
Employees Who Did Not Qualify or Received Reduced Raise  
Due to Exceeding the Range Maximum**

	<u>No Raise</u>	<u>Emp #</u>	<u>Job Title</u>	<u>Dept.</u>	<u>Salary</u>	<u>Status</u>	<u>Hire Date</u>	<u>Grd</u>	<u>Raise Amt if 3% had been applied before COLA</u>	
1	WEST, LINDSAY P.	23026	ADMIN ASSISTANT	ASSESSOR	\$ 15.96	Full Time	1/20/1997	10	\$ 0.46	
2	FRAZIER, JIMMY W.	01*94128	HEAVY EQUIPMENT OPERATOR	ROAD & BRIDGE	\$ 17.06	Full Time	10/31/1994	11	\$ -	
3	MELCHER, DAVID G.	27038	BUILDING MAINTENANCE TE	BUILDINGS & GROUND	\$ 18.50	Full Time	6/2/2009	13	\$ -	
4	THOMAS, SARAH B.	26021	VA COORD DOM VIOL CASES	PROSECUTING ATTORNEY	\$ 18.77	Full Time	10/20/2003	13	\$ -	
5	DAVIS, FRED W.	01*91129	HEAVY EQUIP OPER II	ROAD & BRIDGE	\$ 19.03	Full Time	8/19/1991	14	\$ -	
6	ENEKS, DEAN	01*95072	HEAVY EQUIP OPER II	ROAD & BRIDGE	\$ 19.48	Full Time	1/1/1978	14	\$ -	
7	CALER, MARVIN K.	01*82063	HEAVY EQUIP OPER II	ROAD & BRIDGE	\$ 19.48	Full Time	1/3/1983	14	\$ -	
8	RODGERS, SHERRY A.	01*96074	CHILDRENS LIBRARIAN	COUNTY LIBRARY	\$ 19.82	Full Time	4/4/1994	13	\$ -	
9	PRESTON, NORMA J.	01*95158	BOOKKEEPER-CRIMINAL COU	CIRCUIT CLERK	\$ 19.88	Full Time	2/12/1990	15	\$ 0.09	
10	STEWART, ROBERT J.	01*88079	WELDER II	ROAD & BRIDGE	\$ 20.29	Full Time	6/16/1988	14	\$ -	
11	GASTON, CELETHA R.	21145	OFFICE MANAGER	CO HEALTH-HIV CLINIC	\$ 20.71	Full Time	10/26/1992	14	\$ -	
12	BARKER, LARRY D.	01*99102	HEO-LEAD	ROAD & BRIDGE	\$ 21.13	Full Time	9/21/1987	15	\$ -	
13	STROBEL, DEBORAH A.	01*93003	CASE COORDINATOR	PROSECUTING ATTORNEY	\$ 21.26	Full Time	1/1/1993	16	\$ -	
14	NICHOLS, LONNIE L.	21012	CORPORAL	SHERIFF - ENFORCEMENT	\$ 23.32	Full Time	5/1/1998	18	\$ -	
15	REXFORD, CHARLES K.	01*91027	CRIME SCENE SPECIALIST	SHERIFF - ENFORCEMENT	\$ 29.91	Full Time	12/1/1975	18	\$ -	
16	AUDRAIN, GLENDA L.	01*98242	LIBRARY DIRECTOR	COUNTY LIBRARY	\$ 31.79	Full Time	8/5/1991	23	\$ -	
17	HAWKINS, FRANCES K.	24076	EXEC ASSIS SHERIFF ADM	SPECIAL SALES TAX-JAIL	\$ 21.26	Full Time	6/10/1991	17	\$ -	
	<b>Reduced Raise:</b>									\$ 1,144.00
1	NORMAN, MARY E.	24032	ADULT DETENTION OFFICER	SPECIAL SALES TAX-JAIL	\$ 16.55	Full Time	7/25/2001	12	\$ 0.32	
2	REED, BRYANT E.	26428	WELDER	ROAD & BRIDGE	\$ 17.15	Full Time	12/1/2006	12	\$ 0.20	
3	HOWARD, STANLEY D.	01*99012	MAINTENANCE TECH II	BUILDINGS & GROUND	\$ 19.39	Full Time	1/5/1999	15	\$ 0.18	
4	DENZER, TANGIE R.	21042	EXEC ASSISTANT SHERIFF	SHERIFF - ENFORCEMENT	\$ 22.52	Full Time	1/8/2001	18	\$ 0.18	
5	WINTERS, GARY L.	25362	HEAVY EQUIP OPER II	ROAD & BRIDGE	\$ 18.48	Full Time	6/1/1993	14	\$ 0.12	
6	STAMPS, TERRY G.	23025	BRANCH MANAGER	ASSESSOR	\$ 16.55	Full Time	9/12/1996	11	\$ 0.09	
7	WILLIAMS, RICKY L.	21017	CORPORAL	SHERIFF - ENFORCEMENT	\$ 22.52	Full Time	12/27/1993	18	\$ 0.08	
										\$ 2,433.60

**Total Cost as Proposed:**

**\$ 3,577.60**

APERS:

\$ 509.45

FICA:

\$ 273.69

**\$ 4,360.74**



MARILYN EDWARDS  
County Judge

280 North College, Suite 500  
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS  
County Courthouse

MEETING REPORT OF THE  
WASHINGTON COUNTY QUORUM COURT  
COUNTY SERVICES COMMITTEE

Monday, June 3, 2013  
5:30 p.m.

Washington County Quorum Court Room

Members Present: Joe Patterson, Tom Lundstrum, Rex Bailey, John Firmin, and Barbara Fitzpatrick.

Members Absent: Eva Madison, and Jimmy Mardis.

Others Present: Harvey Bowman, Rick Cochran, Butch Pond, George Butler, Ann Harbison, Mary Ann Spears, Bill Ussery, Juliet Richey, Dan Short, Debbie Beckerdite, Joe Maynard, Catherine Kilogre, Rachel Wright, Jennifer Shields, Joe Alexander, Renee Biby, and Tony Hernandez (NWA Times).

The meeting was called to order at 5:30 p.m. by Chairman Joe Patterson. The agenda was adopted as presented.

Report from the Washington County Planning Office. County Planning Director Juliet Richey updated the Committee on activities of the County Planning Board during the past month. There were eleven items approved administratively in the month of May. There was one Large Scale Development for Modern Mission Laser Tag that was approved as well as one Preliminary Plat for the Hughmount Village subdivision. There is a special meeting of the Quorum Court on June 4<sup>th</sup> to hear an appeal on the East Prairie Grove Tower appeal. She also reported that there is one item on the Planning Board agenda for June which is a Large Scale Development for B&R Meat Processing.

Review of An Ordinance Amending Washington County Code 11-100 Pertaining To Large Scale Development Standards and Amendment To The Rules And Regulations Of The Planning Director Regarding Zoning. These two items have been drafted by the County Attorney at the request of Planning Director Juliet Richey and adds an exemption for ambulance services.

County Attorney George Butler explained that this is adding ambulance service to items that will be allowed by right, the same as municipal and volunteer fire departments and also exempting them from development standards.



Tom Lundstrum asked if new locations to house ambulances are being planned. Becky Stewart, CEMS Chief, replied that it is imperative to plan where to strategically locate the ambulances where the higher density of calls are or where calls are occurring that an ambulance takes a longer time to get there. CEMS currently does not have an ambulance station east of Highway 71. The plan is to locate something out in the east side of Fayetteville. If a location is found, CEMS will work with the requirements, but it takes quite a bit of time to go through the process, sometimes a good location may be in a residential area. At this point there are not specific plans to add a station as a result of this request. There is, however, a piece of property on Crossover Road that is being looked at. Right now an ambulance is placed in the parking lot at Harps for a short term solution.

Tom Lundstrum asked what this potentially could cost the County. Becky Stewart replied that CEMS is not anticipating asking the County for any additional funding at this time.

John Firmin asked if it is typical in other areas that these types of services are exempted. Juliet Richey replied it is not uncommon.

Tom Lundstrum made a motion to forward the Ordinance to the full Quorum Court with a do pass recommendation. Rex Bailey seconded. The motion was approved unanimously.

Report from the Lester C. Howick Animal Shelter. Chief of Staff Dan Short provided a report to the Committee regarding the Animal Shelter. The total intakes for 2012 and 2013 are 260 cats and 565 dogs, dispositions for 2013 are 227 cats and 531 dogs. The census is 78 cats and 145 dogs. The Shelter was currently running at capacity and the Director has been authorized to place people on a waiting list if they want to surrender an animal to the Shelter.

Shelter income from city contracts and adoption and reclaim fees total \$18,382 for 2013. Shelter donations for 2012 totaled \$800. Monetary Donations for 2013 total \$1,213.55. Product Donations for 2013 total \$533 to date. These totals do not include the Animal League donations. The total donation from the Animal League as of April 30, 2013 was \$21,661.08. Shortly after that date, they also provided a variety of equipment and that amount is unknown at this time but will be on next month's report.

The part time volunteer hours for the month of May totaled 605.5 hours, including inmate labor. There is one full time volunteer that spends about 67.5 hours doing Facebook and Petfinder work. The six paid employees worked 1230 regular hours; they worked a total of 1,361 hours with overtime. The number of volunteer hours, inmate hours, and overage from employees combines for a total of 804 hours.

Tom Lundstrum stated he would like to keep his eye on the labor hours to determine if a new position is needed, which may be more economical than the overtime rate.

Rex Bailey asked what the average time was to keep an animal. Dan Short replied that the County's policy as far as euthanasia is 84 days. Euthanasia is always the last choice.

John Firmin asked to amortize the cost of the shelter over a period of years. Dan Short replied that if that cost of the shelter is taken out then the cost per animal is \$452; if the building is included, the cost of the animal is \$3,026. Buildings and Grounds provides the cleaning supplies and the utilities for the Shelter. An additional \$25,000 also came out of the budget for equipment. Year to date, \$189,443 has been expended from the shelter budget.

Dan Short stated that the projections for the smaller cities have come in less than expected with the annual projection being \$58,000; the actual revenues received to date for nine months are \$10,800.

Tom Lundstrum asked whether an ordinance could be drafted where the revenue from an animal control citation could come directly to the animal shelter; to which George Butler replied that state law determines most of the revenue designations. If the ticket is written in the county and is a county case, that fine money already goes to the General Fund and is being appropriated as the Quorum Court sees fit. Tom Lundstrum stated that there is not a revenue stream going into the animal shelter that is even going to come close to defraying the cost.

Barbara Fitzpatrick stated that the County was paying \$75 per animal to Fayetteville and the County is still averaging things that shouldn't be averaged. The building should be good for 20 years without any updates, so averaging the cost of the building in with the animals and averaging equipment skews the numbers. The animal actually costs in food, water, litter and then of course payroll.

Rick Cochran asked if consumption expenditures could be segregated (items like food and litter) as well equipment. He would also like to know all of the costs that are being paid out of the Buildings & Grounds budget for the shelter. Rick Cochran believes that the Buildings & Grounds budget should decrease by that same amount and the Animal Shelter budget should increase so it will be self-sustaining.

Dan Short presented the current Statement of Operations for the Shelter. The personnel section of the budget is 41% expended and supplies are 92% expended. He pointed out areas where line item adjustments have been made and noted that the budget will need to be increased before the end of the year.

Dan Short also reported: 1) The name of the Animal Shelter has been changed to the Lester C. Howick Animal Shelter for Dogs and Cats in order to clarify that no exotic animals or livestock will be accepted; 2) The Road Department poured a concrete pad and Shelter Consultant Lib Horn provided the Shelter with a chain link kennel for puppies; 3) A 2003 suburban has been transferred to the Animal Shelter from the Road Department so that the Shelter will have transportation when needed and the Department of Emergency Management has transferred a covered trailer to the Animal Shelter. The Animal Shelter's logo has been placed on both items by the Road Department's sign shop.; and, 4) Mats have been purchased in order to eliminate the constant use of the washer and dryer in the Shelter; the mats can be cleaned by spraying them down with a hose.

Harvey Bowman asked Mr. Short to provide recommendations in the future on what can be done to reduce the costs at the Shelter.

Request from NWA Citizens for Better Government for a Resolution in Opposition of the National Blueway Designation of the White River Watershed. The White River and its entire watershed were designated a National Blueway on January 9, 2013. The time frame in which opposition can be expressed and action taken against this designation ends on July 6, 2013. This was placed on the agenda at the request of JP Joe Patterson.

Debbie Beckerdite with the NWA Citizens for Better Government addressed the committee stating that the White River has been designated as a Blueway Designation by the Federal Government by Secretarial Order. A sample resolution has been distributed to that Committee opposing this designation to protect Washington County from the Federal Government and protect property rights. This involves UN Agenda 21 Wildlands Project under which the National Blueways fall.

Harvey Bowman asked if this has gone through other counties yet; to which Debbie Beckerdite stated that each county is being contacted. Newton County has passed the Resolution.

After discussion, Tom Lundstrum made a motion to forward the Resolution to the full Quorum Court for consideration. Rex Bailey seconded. The motion was approved with Barbara Fitzpatrick and John Firmin voting no, and Joe Patterson, Tom Lundstrum and Rex Bailey voting yes.

Other Business. There was no other business to be discussed.

Public Comment. Citizen Debbie Beckerdite commented that priorities should be set with the animals and that maybe looking into a lower standard of vaccinations for the

animals as they are brought in would be beneficial. She also suggested not doing initial vaccinations until they go up for adoption and then consider only covering some of the basic ones.

Citizen Joe Maynard commented that it is important for the people to know the true cost of the animal shelter. He also stated that the Blueways Project is a little abstract and maybe a bit far fetched, however, Fayetteville has passed a streamside ordinance where a pond from South Fayetteville is under Fayetteville's control as long as it is in the city limits. He believes that the county should do everything it possibly can to keep local control of the watershed.

Citizen Joe Alexander commented that he was concerned with the blueways project as well. He feels the free market is the best way to decide whether or not a business is sustainable and not small groups.

Adjournment. The meeting adjourned at 7:07 p.m.

rb/kb



MARILYN EDWARDS  
County Judge

280 North College, Suite 500  
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS  
County Courthouse

MEETING REPORT OF THE  
WASHINGTON COUNTY QUORUM COURT  
PUBLIC WORKS COMMITTEE

Monday, July 29, 2013  
7:18 p.m.  
Washington County Quorum Court Room

Members Present: Ann Harbison, Rex Bailey, John Firmin, Rick Cochran, Harvey Bowman, and Bill Ussery.

Members Absent: Eva Madison.

Others Present: Jimmy Mardis, Candy Clark, Tom Lundstrum, Joe Patterson, Butch Pond, George Butler, Barbara Fitzpatrick, Marilyn Edwards, Renee Biby, and Tony Hernandez (NWA Times).

The meeting was called to order at 7:18 p.m. by Vice Chair Harvey Bowman. Chair Eva Madison was absent due to the passing of her grandmother. The agenda was adopted as presented.

Report on County Buildings: Ron Wood, County Building Superintendent, stated that work has begun on the Sheriff's East Annex upstairs. Spirit Architecture did the original work on the jail and had a lot of the work done when this project was started; that is one of the reasons why they were selected. In response to a question on what the amount of the bid for the project was, Ron Wood replied that only five things were bid out; those add up to \$252,481. The County electrician has been down there working along with a 309 inmate putting in the conduit and wiring for the project. Ron Wood stated he feels good about the project staying on budget. The furniture cost ran over; however, the HVAC came in less than what was estimated. Right now HVAC people are working, the plumbing is roughed in, and the electrical is going well. The price for the fire alarm system has been cut in half due to using the in house electrician. The framers are putting door jams in and sheetrock and insulation will be installed. The furniture is ordered.

Ron Wood next told the committee that an emergency purchase order had to be done for a boiler at the Jail for \$67,089.35, and that is being replaced at this time. He also informed the Committee that they are in the process of putting an overlay coating on the roof of the old jail. The JDC roof is in bad shape and is going to need to be redone and

Public Works  
July 29, 2013  
Page 2

is meeting with a company about a new product later this week. Also, the air handling system for the Courthouse is going out. He received a budget price of \$64, 693 on it (if it lasts long enough to do bids on it).

Ron Wood next informed the Committee that the Animal Shelter has asked for a 79x35 kennel that will be divided into six pens with seven gates. The price is \$9,375 which will be a line item transfer that will need to be approved by the Finance Committee. He also obtained pricing for a metal canopy between the building and the parking deck. It is a steel framed building, 18x20 with standing seam. It is the same type of roofing they have now guttered with downspouts, and the cost estimate for that is \$19,452.

With no other business or public comment, the meeting adjourned at 7:35 p.m.

rb/kb



MARILYN EDWARDS  
County Judge

280 North College, Suite 500  
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS  
County Courthouse

MEETING REPORT OF THE  
WASHINGTON COUNTY QUORUM COURT  
PERSONNEL COMMITTEE

Monday, August 5, 2013  
5:30 p.m.

Washington County Quorum Court Room

Members Present: Butch Pond, Ann Harbison, Candy Clark, Barbara Fitzpatrick, Ron Aman, and Harvey Bowman.

Members Absent: Mary Ann Spears.

Others Present: Jimmy Mardis, Rick Cochran, Rex Bailey, Tom Lundstrum, George Butler, Bill Ussery, Jay Cantrell, Tim Helder, Randall Denzer, Jeane Mack, Dan Short, Angela Ledgerwood, Blair Johanson, Marilyn Edwards, Lindsi Huffaker, and Tony Hernandez (NWA Times).

The meeting was called to order at 5:30 p.m. by Chairman Butch Pond. The agenda was adopted as presented.

Report from Blair Johanson, Salary Consultant for Washington County. Salary Consultant Blair Johanson provided the Committee with the results from the NOARK Study and also the World at Work Compensation Study for 2013-2014. The 2013 NOARK Study with the zero values represents the average that is inclusive of the organizations that did not give an increase. The economy is improving enough that most organizations are planning on giving increases. For planning purposes, for next year outside of the COLA, the County would be looking at approximately 2.75% to 3%. The overall average is 3% on a median. On a national, regional, and state basis, 3% is being leaned toward. At the Personnel Committee meeting on September 9, he will make recommendations for 2014 based on the market study and information that has been presented to-date.

Review of Quarterly Reports from Human Resources: Lindsi Huffaker, Human Resource Director, reported that 27 people were hired for this quarter. These are not new positions, just simply refilled positions as turnover occurs. There were also 33 terminations for the quarter and a 2.34% turnover rate for the quarter. That is a little bit higher than what was seen in the past. She agrees that is symptomatic of the job market improving.

Consideration of Proposed Amendment to the Employee Handbook. The Committee reviewed proposed amendments pertaining to the Grievance Procedures Policy and Employee Grievance Hearing Policy. Lindsi Huffaker, Human Resource Director, reported this policy was implemented in 1998 and has had very little revision. The purpose of this policy is to identify legal and policy issues before they reached a civil level. Because the language in the grievance policy is so general, she feels people are starting to use this as a complaint form.

Ann Harbison made a motion to forward the request to the full Quorum Court. Barbara Fitzpatrick seconded.

Candy Clark suggested an amendment to Page 66 Section G to the following: Human Resource shall contact the Personnel Committee and other members of the Quorum Court, striking everything from any member. She believes the whole Quorum Court should hear a grievance and insert the majority of the Quorum Court to be required to hear a grievance. She also does not understand the substitution procedure and would like to have the procedure for selecting an alternate spelled out. County Attorney George Butler replied that there is a law that says that no committee can consist of more than a quorum without consent of the County Judge. The Judge would have to agree for it to consist of more than a quorum. Before the Personnel Committee was in place, it consisted of a mix of elected officials and employees and that was maddening trying to coordinate. He believes that coordinating all members of the Quorum Court along with the person and their grievance attorney would be a nightmare. Candy Clark stated she is concerned with the policy, especially with a substitution. Lindsi Huffaker stated that when someone on the Personnel Committee is unable to serve on the Grievance Committee names are drawn at random.

Candy Clark made a motion to add language to draw names at random for the Grievance Committee. Ann Harbison seconded. After clarification from the County Attorney, Candy Clark withdrew the motion as this should be considered under the item 5.2.

Ann Harbison made a motion to approve 5.1, Barbara Fitzpatrick seconded. The motion was approved with Candy Clark voting no.

Lindsi Huffaker reported that 5.2 strikes out the reference to Arkansas Code 25-15-208, an administrative procedure law that has never been followed or utilized; it is a re-wording and clean up.

Candy Clark made a motion that the County Attorney amend 5.2 to state the procedure followed by HR where names are drawn at random if any member of the Personnel Committee cannot serve on the Grievance Committee. Ann Harbison seconded. The motion was approved.



Candy Clark stated that she had been questioned about changes in the employee Deferred Compensation Plan; to which County Attorney George Butler explained that the participation in the Plan is less than 6%. No county funds go into this; it is strictly from the employee. Security Benefit came to the County and stated the plan needed to be amended. There is fiduciary responsibility due to changes in Arkansas law. Missy Leflar, with the City of Fayetteville, recommended fiduciary insurance. The County needed fiduciary insurance anyway due to being self-insured. There is a question as to whether or not tort immunity would cover under violation of fiduciary responsibility. It was realized also that the County had not been exercising as much oversight as necessary. Security Benefit presented documents to sign which included indemnification clauses, which is a death note concerning tort immunity. George Butler stated that he attempted to work with Security Benefit to remove this clause; however, they were unwilling to budge. Therefore, he recommended to the County Judge that she not approve the contract and terminate the program.

Request for the Additional Personnel for the County Animal Shelter. This request is being brought to the Committee by the County Judge and is for the addition of a Vet Tech/Kennel Supervisor, Kennel Supervisor, and Veterinarian. The Personnel Committee will need to make a funding recommendation to the Finance Committee.

Animal Shelter Director Angela Ledgerwood reported that the job description for Veterinarian went through JESAP and is considered professional. The recommendation pay scale is somewhere between \$70,000 and \$76,000.

Barbara Fitzpatrick made a motion to forward the request to the Finance Committee with a do pass recommendation. Ann Harbison seconded.

There was discussion concerning the third position, Kennel Supervisor, and summarizing previous County Services meeting.

Candy Clark asked that it be forwarded with no recommendation due to the lack of some members at this meeting.

After discussion, Barbara Fitzpatrick amended her motion to forward the request to the Finance Committee with no recommendation. The motion was approved unanimously.

Tom Lundstrum asked for accurate numbers on what it costs to operate the Fayetteville Animal Shelter and the Springdale Animal Shelter. Dan Short replied he would furnish those numbers for the Finance Committee.

With no other business or citizen comments, the meeting adjourned at 6:30 p.m.



MARILYN EDWARDS  
County Judge

280 North College, Suite 500  
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS  
County Courthouse

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

Monday, August 5, 2013  
6:30 p.m.

Washington County Quorum Court Room

Members Present: Butch Pond, Tom Lundstrum, Candy Clark, Ron Aman, Jimmy Mardis, and Bill Ussery.

Members Absent: Joe Patterson.

Others Present: Harvey Bowman, Rick Cochran, Rex Bailey, George Butler, Ann Harbison, Barbara Fitzpatrick, Jeane Mack, Tim Helder, Randall Denzer, Jay Cantrell, and Tony Hernandez (NWA Times).

The meeting was called to order at 6:30 p.m. by Chairman Tom Lundstrum. The agenda was adopted as presented.

Tom Lundstrum commented that when there is nothing significant to talk about, he believes that it is a lack of agenda.

Report from the Juvenile Detention Facility. Jeane Mack, Director of the Juvenile Detention Facility, reported that everything is running smoothly. Barbara Fitzpatrick noted that on the report given it states that the facility is clean and the staff is doing a great job and congratulated Jeane Mack for the outstanding job she and her staff are doing.

Report from the Sheriff's Office on Enforcement and Adult Detention. Chief Deputy Jay Cantrell reported that not a lot has changed on the enforcement side. The training hours are down a little bit, but those are attributed to the change of program implementation.

Detention Major Randall Denzer reported on the Jail side it is about the same; the numbers are about the same. State prisoners aren't going to the state penitentiary as quickly and federal prisoners are up just a little bit. The hours at the Animal Shelter are just about the same. New employees are sent through a 40 hour jail standards course and that is done in house with certified instructors. After that they must complete a 30-day detention training.

Ann Harbison commented that people who are not going to their probation officers are being put in jail, according to an article in the newspaper she read. She asked if that had increased the jail population. Randall Denzer replied it hasn't affected the jail significantly.

Harvey Bowman asked if it would be beneficial if the Quorum Court came up with funds to fund an off duty officer to supervise inmates in the absence of someone who is on duty. Sheriff Helder replied it is whether or not enough show up for community service. If the community service numbers are down, there may not be enough to go around. Sheriff Helder added that about \$10,000 in labor per month is being provided in deputies and inmate labor.

Sheriff Helder commented that there is a potential for overcrowding issues with the law changes. There has been a major influx in pre-trial inmates in the past few months.

Other Business. Ann Harbison commented that she believes it is important to hear from the Jail and the JDC every month. Candy Clark suggested since the agenda is always short for this meeting that the Committees be switched so that the Personnel Committee followed this meeting.

With no public comment, the meeting adjourned at 6:45 p.m.

rb/kb



MARILYN EDWARDS  
County Judge

280 North College, Suite 500  
Fayetteville, AR 72701

WASHINGTON COUNTY, ARKANSAS  
County Courthouse

MEETING REPORT OF THE  
WASHINGTON COUNTY QUORUM COURT  
FINANCE AND BUDGET COMMITTEE

Tuesday, August 6, 2013  
5:30 p.m.

Washington County Quorum Court Room

Members Present: Butch Pond, Joe Patterson, Ann Harbison, Tom Lundstrum, Mary Ann Spears, Rex Bailey, Candy Clark, Barbara Fitzpatrick, Rick Cochran, Ron Aman, Harvey Bowman, Jimmy Mardis, and Bill Ussery.

Members Absent: John Firmin and Eva Madison

Others Present: George Butler, Ron Wood, Bob Caulk, Jennifer Hinkle, Ashley Farber, Cheryl Bolinger, Lindsy Huffaker, Norma Frisby, Stacey Zimmerman, Marilyn Edwards, Wayne Blankenship, Randall Denzer, Jay Cantrell, Tim Helder, Lance Eads, Angela Ledgerwood, Dan Short, Juliet Richey, John Adams, Renee Biby, and Tony Hernandez (NWA Times).

The meeting was called to order at 5:30 p.m. by Chair Candy Clark. The agenda was adopted with the addition of a grant application resolution and a request from Sheriff Helder.

Financial Report. Roger Haney, Treasurer, reported that the General Fund is holding at about average. Property tax collections go down in the summer months. In July, the state gives the turnback money to help counties for the shortage in property tax collections that is a \$56,000 boost. In addition there is PILF money that goes into the road fund that is from the Forest Service for the maintenance they do on federal lands. The Road Fund is the most dramatic decrease as they are doing a lot of their work right now. In addition, they will get the infusion of the special sales tax that is being collected statewide. Jail Maintenance is about the same as last month. That fund will be watched closely, and there are some monies held back for them in the General Fund if needed. Overall, all of the funds are doing well. The sales tax is up 4.7% for the month that is an increase over last month. The state sales and use tax has increased to 6.5%, that is the .5% tax for the road funds.

Comptroller Cheryl Bolinger reported the only change in the unappropriated reserves report is the \$34,300 that will be coming out is the storm water mapping for Environmental Affairs and the housekeeping. The budgets are all in line with where they should be for this time of year.

Report from County Grant Administrator Wayne Blankenship on Grants Awarded to the County and Related Appropriation Requests and Resolutions Needed for the Submission of Grant Applications. Grant Administrator Wayne Blankenship reviewed the following two items: (1) An Ordinance Anticipating Additional Revenues Of \$325,000 In The Drug Court Grant Fund; And Appropriating The Amount Of \$325,000 From The Drug Court Grant Fund To The SAMHSA-2 Grant Budget For 2013. this is the second year of the SAMHSA grant, there is another year of this with the option of two more cycles; and, (2) A Resolution Authorizing The Washington County Judge To Submit A Grant Request To The Arkansas Rural Development Commission On Behalf Of The Sunset Rural Fire Department. This resolution authorizes the Judge to apply for a GIF2 grant for the Sunset Rural Fire Department to purchase three Self Contained Breathing Apparatus and a fire hydrant for their proposed substation in Hazel Valley.

Tom Lundstrum made a motion to forward both these items to the full Quorum Court with a do pass recommendation. Rex Bailey seconded. The motion was approved unanimously.

A Resolution Endorsing The Participation Of ORC Products, Inc., In The Sales And Use Tax Refund Program Authorized By The Consolidated Incentive Act Of 2003 And Ark. Code Ann. §15-4-2706(d). Lance Eads, with the Springdale Chamber of Commerce, stated this is a company in Springdale that historically began as a small company that is leasing a facility and they have recently purchased a facility. This will allow them to expand new jobs at the \$14 or \$15 per hour change. This will allow them to get the tax back for purchases used in retro-fitting the building.

Butch Pond made a motion to forward the resolution to the full Quorum Court with a do pass recommendation. Rex Bailey seconded. The motion was approved unanimously.

An Ordinance Transferring Monies Of \$10,000 Within The Circuit Court III – Juvenile Division Budget In The General Fund For 2013. Norma Frisby with Juvenile Court reported that the part times salaries line item was short to be able to cover the two part time staff they have for the remainder of the year. She is requesting to move the funds from Line Item 309, Other Professional Services and Line Item 3090 for a total of \$10,000.

Butch Pond made a motion to forward the Ordinance to the full Quorum Court with a do pass recommendation. Barbara Fitzpatrick seconded. The motion was approved unanimously.

Request To Transfer Monies Of \$93,520 Within The Buildings & Grounds Budget In The General Fund For 2013. Ron Wood, Buildings & Grounds Superintendent, reported that this request covers a metal canopy to go between the courthouse and the parking deck for \$19,452. The other request is for the animal shelter to extend the outside kennels, the budget price on that is \$9,375 and lastly, is for an air handling system for the courthouse, the budget quote is \$64,693, for a total of \$93,520.

Tom Lundstrum made a motion to split the items into separate ordinances. Rex Bailey seconded. The motion was approved.

#### 7.1—Metal Canopy for the Courthouse

Ann Harbison asked where exactly the metal canopy will be. Ron Wood replied it will be sitting about half way between the dumpster location on the east side of the building and the walkway.

Ann Harbison made a motion to forward 7.1 to the full Quorum Court with a do pass recommendation. Butch Pond seconded. The motion failed 5 to 8 with Joe Patterson, Tom Lundstrum, Rex Bailey, Rick Cochran, Ron Aman, Harvey Bowman, Jimmy Mardis, and Bill Ussery voting no.

#### 7.2—Fence for Animal Shelter

Ron Wood stated that this is a request from the Animal Shelter to extend the existing outdoor kennel with a heavy duty fence. The fence that is currently there is not a high quality and several dogs have already escaped.

Tom Lundstrum commented he would rather see a donation take care of something like this and would not support this expenditure at this time.

Barbara Fitzpatrick stated that any capital improvements or building issues need to be funded by the County because the County owns it.

After discussion, Ann Harbison made a motion to forward the request to the full Quorum Court with a do pass recommendation. Barbara Fitzpatrick seconded. The motion was approved with 7-6 with Joe Patterson, Tom Lundstrum, Rex Bailey, Rick Cochran, Ron Aman, and Harvey Bowman, voting no. County Attorney George Butler stated that this will require a 2/3 vote to be approved by the Quorum Court on one reading, or it can be read three times and pass by simple majority.

#### 7.3—Air System for the Courthouse

Ron Wood stated this is needed for the courthouse to bring fresh air in.

Rex Bailey made a motion to forward the request to the full Quorum Court with a do pass recommendation. Tom Lundstrum seconded. The motion was approved unanimously by those present.

Request from the Beaver Watershed Alliance for an Appropriation of \$10,000 from General Fund Unappropriated Reserves. Bob Caulk, with the Beaver Watershed Alliance stated the Alliance got started as a part of the Beaver Watershed Protection effort which began in 2007. As time goes on there are threats to the quality of the water and these threats in theory could increase the cost of treating the water in the future. The Quorum Court did support a study in 2007 that was completed in 2009. The Alliance was formed in 2011 and is now to the point to do programs in the watershed and are looking for sponsors to help implement the programs. The organization's budget for this year is approximately \$375,000, 40% of that is committed at this time, and they have grant requests for more, so he is fairly confident that they can achieve their goals.

There was discussion on the programs of the Beaver Watershed Alliance. A large project is watershed outreach to land owners in the area to apply best management practices.

Butch Pond made a motion to forward the request to the full Quorum Court with a do pass recommendation. Ann Harbison seconded. The motion was approved unanimously by those present.

Request from the Animal Shelter for An Appropriation of \$69,406 from General Fund Unappropriated Reserves for the Addition of Three Additional Personnel Positions in the Animal Shelter Budget for 2013. The Personnel Committee discussed these positions at their meeting on August 5 and has forwarded the request to the Finance Committee for further consideration. Budget Controls state that new positions will only be considered in October (with the exception of grant funds) unless Budget Controls are suspended by the Finance Committee of the Quorum Court. (9.1. 9.2)

Chief of Staff Dan Short presented the Committee with a summary of personnel numbers and hours of operation for the Springdale and Fayetteville Animal Shelters, along with the Washington County Animal Shelter. The summary also shows euthanasia rate and operating budgets.

Tom Lundstrum commented the other two shelters year to date have taken in a few more animals than the County's animal shelter, but they are not new startup operations. He originally anticipated recommending the third person later, however, comparing the Springdale and Fayetteville budgets it makes sense to add the third person now.

Rex Bailey commented he is struggling with adding three people. He has only voted twice to add new people. If Springdale had the number of volunteers the County has he

does not believe they would need the number of people they have. Angela Ledgerwood replied that inmates and volunteers are not able to do all of the duties of paid employees.

There was discussion on how Springdale operates without an on staff veterinarian.

The spay neuter process costs approximately \$8-\$10, currently the County is paying outside veterinarians up to \$70, so the county will realize those savings, as well as charging the \$10 for a rabies vaccination which actually costs \$1.38.

Dan Short stated the proposed Kennel Supervisor will be a Kennel Supervisor/Front Office Personnel, to allow the flexibility that is needed.

Ann Harbison made a motion to suspend budget controls and forward the request to the full Quorum Court with a do pass recommendation. Barbara Fitzpatrick seconded. The motion was approved.

Request from Planning for an Appropriation of \$93,960 from General Fund Unappropriated Reserves to the Planning Budget for a New Database Program. Juliet Richey, Planning Director, addressed the Committee. She stated this is something that is really needed. The current data base program was developed in 1991 or 1992. Her staff is forced to use multiple programs to track things and enter information multiple times. The platform it is built on Microsoft Access that can no longer be updated, and is restricting other uses in her office. Most of the programs for planning are built around building permit systems, there is not a good solution for off the shelf software, customization to that software would be very costly and she believes it is in the best interest of the county to do a custom built product for her office. The Road Department is also working with this vendor to create a program for their office. She summarized that this needs to happen for her office to run efficiently and to be able to produce accurate information for people who come in to her office.

Tom Lundstrum stated he would rather see this rolled into the 2014 budget. The size of this government has grown and he would like to see it moved into the 2014 budget.

Juliet Richey responded that was her original plan, however, the company offered a 10% discount that is only good if it is taken in this calendar year due to the work the company is doing for the Road Department.

John Adams, Information Technology Director, stated that the county would pay for this custom software and the county would in turn own the code and have the option to sell the code to other counties in similar situations in the future.

Rick Cochran asked if it was possible to split the cost with Benton County. Juliet Richey stated that Washington County and Benton County are similar; however, Washington



County has a zoning code that Benton County does not. Rick Cochran asked if there was a chance to develop in house. Juliet Richey replied that the IT Department does not have the time or staff to do it right now, and certainly not within the time frame that it is needed.

Ann Harbison commented that she supports this, and she trusts Juliet when she comes and asks for something, it is needed.

Mary Ann Spears made a motion to forward the request to the full Quorum Court with a do pass recommendation. Butch Pond seconded. The motion was approved with Joe Patterson voting no.

Other Business. Sheriff Helder stated that it was brought to his attention that there are some serious compression issues at the Sheriff's Department. Last year when the base was brought up, it was decided to give the raise first and then move the base up. There are big moral problems and someone who has been there for four years are making less than someone who has been there for one year. It would mean a lot to the employees if the people who were affected by the base moving up if they would be given the 50 cents on top of what the base is. The cost of this request is \$11,383.55 for a full year.

HR Director Lindsy Huffaker commented the second page are people who were at the top of the range and did not receive the raise due to the raise being implemented prior to the ranges being adjusted.

Joe Patterson made a motion to suspend budget controls, forward the requests to the full Quorum Court with a do pass recommendation. Butch Pond seconded. The motion was approved.

Rick Cochran made a motion to amend the motion to make the pay raises retro-active as a token of understanding that the Quorum Court made a mistake. The amendment was accepted.

Cheryl Bolinger suggested that no ordinance be done now, that the raises can go into effect and it will be cleaned up in housekeeping.

Mary Ann Spears announced that she will be resigning her position as JP effective August 31, 2013.

With no citizen comments, the meeting adjourned at 7:15pm.

rb/JI

RESOLUTION NO. 2013-\_\_\_\_\_

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

A RESOLUTION INSISTING THAT THE UNITED STATES CONGRESS APPROPRIATE SUFFICIENT FUNDS TO CLEAN UP SEFOR.

WHEREAS, the Department of Energy, formerly the Atomic Energy Commission, participated in the construction of a nuclear experimental reactor known as SEFOR in the late 1960s near Strickler, Arkansas; and,

WHEREAS, much to its regret the University of Arkansas took ownership of SEFOR in 1975 and used such as a research tool until 1986; and,

WHEREAS, though the nuclear rods were removed before the University took possession, said facility poses a serious danger to the public based on a study done by the 2012 Arkansas Comprehensive Emergency Plan; and,

WHEREAS, the cost of clean-up of the site is estimated to be Twenty-Six Million Dollars; and,

WHEREAS, neither the University nor the state or local government has the ability to finance said clean up; and,

WHEREAS, the clean-up of this facility lies squarely at the feet of the federal government.

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

ARTICLE 1. That the Quorum Court insists that the United States Congress appropriate sufficient funds for the immediate clean up of SEFOR.

ARTICLE 2. The County Judge is authorized to forward copies of this Resolution to Senator Mark Pryor, Senator John Boozman, and Congressman Steve Womack.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor: \_\_\_\_\_ Ann Harbison

Date of Passage: \_\_\_\_\_

Votes For: \_\_\_\_\_ Votes Against: \_\_\_\_\_

Abstention: \_\_\_\_\_ Absent: \_\_\_\_\_

**RESOLUTION NO. 2013-\_\_\_\_\_**

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

**A RESOLUTION RECOGNIZING A VACANCY IN QUORUM COURT DISTRICT #10 NOW HELD BY MARY ANN SPEARS.**

**WHEREAS,** Quorum Court District #10 is currently held by Mary Ann Spears; and,

**WHEREAS,** pursuant to Ark. Code Ann. 14-14-1306 and 1308, it is required that a vacancy be declared when a Quorum Court member resigns; and,

**WHEREAS,** Mary Ann Spears has served District #10 well and faithfully, but has submitted her resignation from the Quorum Court effective August 31, 2013.

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

That a vacancy is hereby declared to exist in Quorum Court District #10 effective August 31, 2013; and pursuant to Ark. Code Ann. 14-14-1310, the County Judge shall notify the Governor of such.

\_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BECKY LEWALLEN, County Clerk

Sponsor:\_\_\_\_\_

Date of Passage:\_\_\_\_\_

Votes For:\_\_\_\_\_ Votes Against:\_\_\_\_\_

Abstention:\_\_\_\_\_ Absent:\_\_\_\_\_

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

A RESOLUTION TO EXPRESS APPRECIATION OF THE QUORUM COURT TO MARY ANN SPEARS FOR SERVICE AS A JUSTICE OF THE PEACE.

WHEREAS, Mary Ann Spears was elected in November, 2006, as Justice of the Peace from District #11 of Washington County, which later changed to District #10, and has served three terms as a member of the Washington County Quorum Court; and,

WHEREAS, Mary Ann Spears will serve as a Justice of the Peace and a member of the Washington County Quorum Court until August 31, 2013; and,

WHEREAS, Mary Ann Spears has faithfully performed her duties as a Justice of the Peace and a member of the Washington County Quorum Court.

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

ARTICLE 1: On behalf of the citizens of Washington County, Arkansas, the Quorum Court hereby commends Mary Ann Spears for her dedicated service to Washington County and expresses its appreciation to her for a job well done.

ARTICLE 2: The other Justices of the Peace of Washington County express their pleasure at having served with Mary Ann Spears on the Quorum Court.

\_\_\_\_\_  
BUTCH POND

\_\_\_\_\_  
JOE PATTERSON

\_\_\_\_\_  
ANN HARBISON

\_\_\_\_\_  
TOM LUNDSTRUM

\_\_\_\_\_  
REX BAILEY

\_\_\_\_\_  
CANDY CLARK

\_\_\_\_\_  
BARBARA FITZPATRICK

\_\_\_\_\_  
JOHN FIRMIN

\_\_\_\_\_  
RICK COCHRAN

\_\_\_\_\_  
EVA MADISON

\_\_\_\_\_  
RON AMAN

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JIMMY MARDIS

\_\_\_\_\_  
BILL USSERY

\_\_\_\_\_  
HARVEY BOWMAN

APPROVED: \_\_\_\_\_  
MARILYN EDWARDS, County Judge

\_\_\_\_\_  
DATE OF PASSAGE

ATTEST: \_\_\_\_\_  
BECKY LEWALLEN, County Clerk