

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

Thursday, December 19, 2013
6:00 p.m.
Washington County Quorum Court Room

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CLERK OF SUPERIOR COURT
WASHINGTON COUNTY
WASHINGTON

- 246.1 The Washington County Quorum Court met in regular session on Thursday, December 19, 2013. The meeting was called to order by County Judge Marilyn Edwards.
- 246.2 B. Pond led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 246.3 MEMBERS PRESENT: Ron Aman, Rex Bailey, Harvey Bowman, Diane Bryant, Candy Clark, Rick Cochran, John Firmin, Barbara Fitzpatrick, Ann Harbison, Tom Lundstrum, Eva Madison, Butch Pond, and Bill Ussery.
- 246.4 MEMBERS ABSENT: Jimmy Mardis and Joe Patterson.
- 246.5 Judge Edwards reported that J. Patterson was in Haiti, and Jimmy Mardis was in Austria.
- 246.6 OTHERS PRESENT: County Judge Marilyn Edwards, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 246.7 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 246.8 **A motion was made and seconded to adopt the agenda as presented. The motion passed unanimously by those present by voice vote. The agenda was adopted as presented.**
- 246.9 APPROVAL OF MINUTES: Judge Edwards asked for approval of the minutes of the November 21 regular meeting of the Washington County Quorum Court.
- 246.10 **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.**

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- 247.1 PUBLIC HEARING: County Attorney George Butler explained that the Quorum Court will conduct the second required public hearing concerning the implementation of an Arkansas Community and Economic and Development Program (ACEDP) Grant for the Lincoln Fire Association. The purpose of the hearing is to inform citizens of the current scope and progress of the ACEDP project; discuss any changes or impacts involving financing sources, user fees or beneficiaries that have occurred since the first public hearing conducted on November 15, 2012.
- 247.2 Judge Edwards introduced Cassie Elliott with Visionary Milestones who would be addressing this matter.
- 247.3 Cassie Elliott of Visionary Milestones addressed the Quorum Court stating that this is a required public hearing that gives the opportunity for any questions to be asked. She explained that the Fire Station is located at Summers and being built by the Lincoln Fire Association. She stated that their bid opening was over the summer, and they received some great bids for the project with the cost being less than what they had anticipated. Ms. Elliott reported that the contractor is Gardisser Construction and that the concrete work has been completed; the site work was donated by the Fire Department. She explained that they had to order the metal building components and that has arrived. The contractor should be on site with the projected date of completion being January 10.
- 247.4 There were no questions from the public and no further discussion on this project.
- 247.5 FINANCE REPORT: C. Clark reported that the Finance Committee did not meet due to inclement weather.
- 247.6 County Treasurer Roger Haney addressed the Quorum Court stating that taxes should be and are at 92% collected. He pointed out from the Financial Summary that overall for the funds that the Quorum Court has appropriation authority over are up this month with a beginning balance of \$24 million and ending balance of \$48 million. He explained that this was partly due to getting to the end of the year with budget expenditures decreasing and income coming in from property taxes collected in October, having received about \$4.7 million for county purposes; \$3.7 million for the General Fund; about \$362,000 for the Road Fund; and \$563,000 for the Library Fund. He stated that this is about half of what they are projected to receive right at \$10 million. He further noted that the Collector will do a final settlement this month and turn over additional funds which will hopefully meet their target of 100 percent of what they projected.

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- 248.1 Mr. Haney stated that the Jail Fund has been doing much better than it had been. However, they have not collected as much in State Prisoner Care Reimbursements due to the State being slow in paying the county which particularly happens during this time. He noted the recent controversy and crackdown on state parolees not doing what they are supposed to do. He explained that the county is to be reimbursed \$28 per prisoner per day in the County Jail, but it costs the county much more, and the Department of Corrections has been slow to pay those charges. It is not unusual for it to be early 2014 before they are paid for 2013. He noted that the fiscal session begins in February during which the Department of Corrections will be asking for money for these county charges. Mr. Haney stated that the Sheriff's Association met with the Governor last week who supports helping the counties to receive more money for reimbursement of prisoners, as well as keeping up with said reimbursements.
- 248.2 Mr. Haney reported that the sales tax was up 2% over the same period last year and up 3.8% total for the year, slightly below projections.
- 248.3 COUNTY JUDGE'S REPORT: Judge Edwards stated that she would be not giving a report this month but wished to thank the County Road Department for the awesome job they did following the last snow and ice storm.
- 248.4 COMMITTEE REPORTS: It was noted that no committee met this month and there was nothing to report.
- 248.5 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: J. Firmin introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and County Attorney George Butler read the ordinance. The Planning Board granted a Conditional Use Permit on November 7 for Hughmount Village Subdivision. This ordinance contains an emergency clause making it effective immediately upon passage.
- 248.6 J. Firmin stated that he is making this report for J. Patterson, but it appears to him that there were no issues with this CUP. He noted that this is subdivision will be located in one of the City of Fayetteville's overlay districts.
- 248.7 **J. Firmin made a motion to adopt the ordinance. R. Bailey seconded.**
- 248.8 Citizen Comments: There were no citizen comments made.
- 248.9 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**

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

ORDINANCE NO. 2013-70, BOOK NO. 9, PAGE NO. 321

249.2 **A RESOLUTION ENDORSING THE PARTICIPATION OF SOUTH COAST BAKING, LLC, IN THE SALES AND USE TAX REFUND PROGRAM AUTHORIZED BY THE CONSOLIDATED INCENTIVE ACT OF 2003 AND ARK CODE ANN. §15-4-2706(D):** C. Clark introduced **A Resolution Endorsing The Participation Of South Coast Baking, LLC, In The Sales And Use Tax Refund Program Authorized By The Consolidated Incentive Act Of 2003 And Ark. Code Ann. §15-4-2706(D)**, and County Attorney George Butler read the resolution.

249.3 C. Clark explained that this resolution is being requested by Lance Eads of the Springdale Chamber of Commerce.

249.4 Lance Eads from the Springdale Chamber of Commerce explained that South Coast Baking will be paying an average wage of \$25 per hour with outstanding benefits as well as investing \$8,692,000 in this project. It was also noted that South Coast Baking is based out of Irvine, California and is the worldwide distributor of Mrs. Fields cookie dough. This business will be located in a 100,000 square foot building that has been empty for several years. He stated that this will be a great fit for Springdale and a great addition to Northwest Arkansas.

249.5 In response to a question from B. Fitzpatrick, Mr. Eads stated that South Coast Baking is expected to hire 150 people over the next three years.

249.6 **C. Clark made a motion to adopt the resolution. R. Bailey seconded.**

249.7 **Citizen's Comments:** There were no citizen comments made.

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

249.9 **VOTING FOR:** B. Ussery, R. Aman, R. Bailey, H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, E. Madison, and B. Pond. **The motion passed unanimously by those present. The resolution was adopted.**

RESOLUTION NO. 2031-21, BOOK NO. 3, PAGE NO. 61

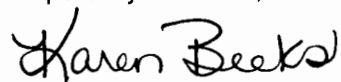
- 250.1 AN EMERGENCY ORDINANCE DIRECTING THE COUNTY TREASURER TO DISTRIBUTE FUNDS RECEIVED PURSUANT TO ACT 799 OF 2003, CURRENTLY BEING HELD IN THE GAME AND FISH COMMISSION FUND: C. Clark introduced **An Emergency Ordinance Directing The County Treasurer To Distribute Funds Received Pursuant To ACT 799 Of 2003, Currently Being Held In The Game And Fish Commission Fund**, and County Attorney George Butler read the ordinance. ACT 799 of 2003 and ACT 893 of 2005 (A.C.A. §6-16-1101) established a fund to be distributed to schools and conservation districts that have programs that qualify for fish and wildlife conservation education. These revenues are generated from fines, fees and costs arising out of convictions of persons violating State laws protecting game, fish and wildlife. Washington County has received \$10,472.21.
- 250.2 C. Clark stated that they do this every year and the schools always apply with about half of the requests being funded this year. She noted that a summary was handed out showing the breakdown of the schools, their programs and the recommendation.
- 250.3 Grant Administrator Wayne Blankenship addressed the Quorum Court and explained that the money requested each year is more than double the amount that there is available. Startup programs are able to use the Game and Fish allocations as a match to other grants.
- 250.4 **C. Clark made a motion to adopt the ordinance. B. Fitzpatrick seconded.**
- 250.5 Citizen Comments: There were no citizen comments made.
- 250.6 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 250.7 VOTING FOR: B. Ussery, R. Aman, R. Bailey, H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, E. Madison, and B. Pond. **The motion passed unanimously by those present. The ordinance was adopted.**

ORDINANCE NO. 2013-71, BOOK NO. 9, PAGE NO. 324

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- 251.1 OTHER BUSINESS: There was no other business to discuss.
- 251.2 CITIZEN COMMENTS: There were no citizen comments made.
- 251.3 ADJOURNMENT: The meeting adjourned at 6:20 p.m.

Respectfully submitted,



Karen M. Beeks
Executive Assistant