

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

Thursday, April 17, 2014
6:00 p.m.
Washington County Quorum Court Room

BECKY LEVALLER
CO. & PROBATE CLERK
WASHINGTON CO. AR

2014 MAY 19 AM 10:13

FILED

- 32.1 The Washington County Quorum Court met in regular session on Thursday, April 17, 2014. The meeting was called to order by County Judge Marilyn Edwards.
- 32.2 J. Mardis led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 32.3 MEMBERS PRESENT: Ron Aman, Rex Bailey, Harvey Bowman, Diane Bryant, Candy Clark, Rick Cochran, John Firmin, Barbara Fitzpatrick, Ann Harbison, Tom Lundstrum, Eva Madison, Jimmy Mardis, Joe Patterson, Butch Pond, and Bill Ussery.
- 32.4 OTHERS PRESENT: County Judge Marilyn Edwards, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 32.5 PRESENTATION OF PLAQUE: Judge Edwards stated that she had the distinct pleasure of presenting a plaque to Roger Shuler from the Emergency Management Homeland Security for recognition and appreciation of 15 years of service as part of the Washington County Search & Rescue-Mounted Unit and as SAR Team Leader. The plaque further read that his volunteer service has had a meaningful impact on the lives of people of Washington County and the State of Arkansas. Mr. Shuler was given a round of applause.
- 32.6 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 32.7 J. Patterson requested the agenda addition of "A Resolution Adopting A Written Statement Setting Out The Reason For The Denial Of A Conditional Use Permit Requested By Smith Communications, LLC."
- 32.8 **A motion was made and seconded to adopt the agenda with the addition. The motion passed unanimously by voice vote. The agenda was adopted with the addition.**
- 32.9 **A motion was made and seconded to amend the resolution by adding A. Harbison's name to the exhibit to reflect that she voted against the issuance of the CUP. The motion passed unanimously by voice vote. The agenda was adopted as amended.**
- 32.10 APPROVAL OF MINUTES: Judge Edwards asked for approval of the minutes of the March 20 regular meeting of the Washington County Quorum Court.

33.1 **A motion was made and seconded to approve the minutes as distributed. The motion passed unanimously by voice vote. The minutes were approved.**

33.2 FINANCE REPORT: C. Clark stated that she had six appropriation ordinances and one resolution from the Finance Committee to address tonight.

33.3 A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR THE SCAAP 2014 GRANT TO BE USED FOR CORRECTIONAL PURPOSES: C. Clark introduced **A Resolution Authorizing The Submittal Of An Application For The SCAAP 2014 Grant To Be Used For Correctional Purposes**, and County Attorney George Butler read the resolution.

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

33.5 Citizen Comments: There were no citizen comments made.

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

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

RESOLUTION NO. 2014-03, BOOK NO. 3, PAGE NO. 64

33.8 AN ORDINANCE RECOGNIZING ADDITIONAL REVENUES IN THE AMOUNT OF \$7,012,575 IN VARIOUS COUNTY FUNDS FOR 2013; REDUCING THE AMOUNT OF \$145,882 FROM LINE ITEMS IN VARIOUS 2013 COUNTY BUDGETS AND RESTORING THOSE FUNDS TO UNAPPROPRIATED RESERVES; AND APPROPRIATING THE TOTAL AMOUNT OF \$7,035,487 FROM UNAPPROPRIATED RESERVES TO VARIOUS BUDGET LINE ITEMS FOR 2013: C. Clark introduced **An Ordinance Recognizing Additional Revenues In The Amount Of \$7,012,575 In Various County Funds For 2013; Reducing The Amount Of \$145,882 From Line Items In Various 2013 County Budgets And Restoring Those Funds To Unappropriated Reserves; And, Appropriating The Total Amount Of \$7,035,487 From Unappropriated Reserves To Various Budget Line Items For 2013.** This ordinance is on second reading.

- 34.1 **C. Clark made a motion to suspend the rules and read this ordinance by title only. B. Fitzpatrick seconded. The motion passed unanimously by voice vote.**
- 34.2 County Attorney George Butler read the ordinance by title only.
- 34.3 **C. Clark made a motion to adopt the ordinance. A. Harbison seconded.**
- 34.4 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 34.5 VOTING FOR: H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, and R. Bailey. **The motion passed unanimously. The ordinance was adopted.**

ORDINANCE NO. 2014-12, BOOK NO. 9, PAGE NO. 347

- 34.6 AN ORDINANCE ADJUSTING CARRYOVER REVENUES IN VARIOUS FUNDS FOR 2014: C. Clark introduced **An Ordinance Adjusting Carryover Revenues In Various Funds For 2014.**
- 34.7 **C. Clark made a motion to suspend the rules and read this ordinance by title only. B. Fitzpatrick seconded. The motion passed unanimously by voice vote.**
- 34.8 County Attorney George Butler read the ordinance by title only.
- 34.9 **C. Clark made a motion to adopt the ordinance. J. Patterson seconded.**
- 34.10 In response to a question from D. Bryant, to which County Comptroller Cheryl Bolinger further explained that every year in the budget they project a certain amount of carryover. Now that the books have been closed for 2013, they need to make an adjustment to reflect the actual carryover amounts for 2014.
- 34.11 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 34.12 VOTING FOR: H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, and R. Bailey. **The motion passed unanimously. The ordinance was adopted.**

ORDINANCE NO. 2014-13, BOOK NO. 9, PAGE NO. 357

- 35.1 AN ORDINANCE REDUCING THE AMOUNT OF \$188,695 FROM FULL-TIME SALARY LINE ITEMS IN VARIOUS COUNTY BUDGETS AND RESTORING THOSE FUNDS TO UNAPPROPRIATED RESERVES; AND, APPROPRIATING THE AMOUNT OF \$190,562 FROM UNAPPROPRIATED RESERVES TO VARIOUS BUDGETS FOR 2014: C. Clark introduced **An Ordinance Reducing The Amount Of \$188,695 From Full-Time Salary Line Items In Various County Budgets And Restoring Those Funds To Unappropriated Reserves; And, Appropriating The Amount Of \$190,562 From Unappropriated Reserves To Various Budgets For 2014.**
- 35.2 **C. Clark made a motion to suspend the rules and read this ordinance by title only. The motion was seconded. The motion passed unanimously by voice vote.**
- 35.3 County Attorney George Butler read the ordinance by title only.
- 35.4 **C. Clark made a motion to adopt the ordinance. J. Patterson seconded.**
- 35.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 35.6 VOTING FOR: H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, and R. Bailey. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2014-14, BOOK NO. 9, PAGE NO. 358**
- 35.7 AN ORDINANCE APPROPRIATING THE AMOUNT OF \$3,318 FROM THE GENERAL FUND TO THE SHERIFF-WORK RELEASE BUDGET; AND RECOGNIZING AND APPROPRIATING REVENUES IN THE DRUG ENFORCEMENT-STATE AND DRUG ENFORCEMENT-FEDERAL FUNDS FOR 2014: C. Clark introduced **An Ordinance Appropriating The Amount Of \$3,318 From The General Fund To The Sheriff-Work Release Budget; And Recognizing And Appropriating Revenues In The Drug Enforcement-State And Drug Enforcement-Federal Funds For 2014.**
- 35.8 **C. Clark made a motion to suspend the rules and read this ordinance by title only. R. Bailey seconded. The motion passed unanimously by voice vote.**
- 35.9 County Attorney George Butler read the ordinance by title only.

- 36.1 **C. Clark made a motion to adopt the ordinance. A. Harbison seconded.**
- With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 36.2 **VOTING FOR: H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, and R. Bailey. The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2014-15, BOOK NO. 9, PAGE NO. 359**
- 36.3 **AN ORDINANCE RECOGNIZING AND APPROPRIATING THE AMOUNT OF \$2,000 IN THE JDC GRANT FUND FOR 2014: C. Clark introduced **An Ordinance Recognizing And Appropriating The Amount Of \$2,000 In The JDC Grant Fund For 2014**, and County Attorney George Butler read the ordinance.**
- 36.4 **C. Clark made a motion to adopt the ordinance. A Harbison seconded.**
- 36.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 36.6 **VOTING FOR: H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, and R. Bailey. The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2014-16, BOOK NO. 9, PAGE NO. 361**
- 36.7 **AN ORDINANCE ANTICIPATING ADDITIONAL REVENUES OF \$336,332 IN THE HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT FUND; AND APPROPRIATING \$336,332 FROM THE HIDTA GRANT FUND TO THE HIDTA 2014 GRANT G14GC0004A BUDGET FOR 2014: C. Clark introduced **An Ordinance Anticipating Additional Revenues Of \$336,332 In The High Intensity Drug Trafficking Area (HIDTA) Grant Fund; And Appropriating \$336,332 From The HIDTA Grant Fund To The HIDTA 2014 Grant G14GC0004A Budget For 2014**, and County Attorney George Butler read the ordinance.**
- 36.8 C. Clark stated that all of this documentation is online if they want to go to the website and look at the total numbers.

- 37.1 **C. Clark made a motion to adopt the ordinance. B. Fitzpatrick seconded.**
- 37.2 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 37.3 **VOTING FOR: H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, and R. Bailey. The motion passed unanimously. The ordinance was adopted.**

ORDINANCE NO. 2014-17, BOOK NO. 9, PAGE NO. 362

- 37.4 **Washington County's Legislative Audit for the Year 2012 – C. Clark stated that the Washington County's Legislative Audit for the Year 2012 was presented at the Finance Committee meeting.**
- 37.5 **C. Clark made a motion to acknowledge receipt of the Washington County's Legislative Audit for the Year 2012. E. Madison seconded. The motion passed unanimously by voice vote. Receipt of the audit was acknowledged.**
- 37.6 **COUNTY JUDGE'S REPORT: Judge Edwards announced that Joel Gardner, Director of Ozark Regional Transit was in attendance to provide an update to the Quorum Court.**
- 37.7 Director Joel Gardner introduced Jeff Hatley, Public Information Officer with ORT, who would be giving the update.
- 37.8 Mr. Hatley addressed the Quorum Court stating that ORT is doing a lot with the increased budget that the Quorum Court gave them last fall. He stated that they are investing in their people and their product; they are investing in more training for their people to glean more efficiencies and effectiveness out of the software for which they are already paying. He noted that this has allowed them to have between 3-4 hours extra a day for 8 of their paratransit vans to be able to be able to pick up people for curb to curb service. He reported that they are investing in more routes including a new route in Springdale that allowed them to divert another route to access Johnson, Arkansas for the first time; they will also be diverting another route in Fayetteville to access Johnson as an additional route. Mr. Hatley further reported that, at the end of this month, they will be splitting their route 41 along the south edge of Fayetteville to a western and an eastern leg to

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access the Fayetteville Industrial Park area, providing transportation at Hillcrest Towers as well as access the County Jail area on Clydesdale. He stated that on June 2 they will be implementing the vehicle express route that will connect West Fork, Greenland of North Fayetteville to Farmington, Prairie Grove and Lincoln which will be their 620 route. Also in June, they will be bringing out new color-coded maps that will be easier to read and will be renaming about every route that they have had in existence. Mr. Hatley thanked the Arkansas Highway Transportation Department for changing I49 to I490 instead of I540 which will save them some money in not having to reprint maps.

- 38.1 Judge Edwards asked whether they would be having pickups in the cities of West Fork, Greenland, Farmington, Prairie Grove and Lincoln and whether people using the paratransit vans would need to come to the cities to catch their rides.
- 38.2 Mr. Hatley responded to Judge Edwards, stating that people using the paratransit vans would need to come into the cities to catch their rides; however, there is a $\frac{3}{4}$ mile buffer zone around all the fixed route areas for people who cannot make the $\frac{3}{4}$ mile walk to get to a fixed route point; their paratransit vans will assist them to get to the curb at a fixed route.
- 38.3 C. Clark asked whether there was a financial requirement or limit to access the paratransit system other than being disabled and without a drivers' license.
- 38.4 Joel Gardner responded to C. Clark, stating that they actually have the two variations of demand response; one is considered ADA Paratransit which basically falls under a guidance of the fixed route which is the $\frac{3}{4}$ mile barrier that Mr. Hatley talked about, and the other variation is demand response. He stated that in neither one of these variations do they have any type of economic valuation. Mr. Gardner stated the Americans with Disabilities Act states that ORT has to provide the preferential scheduling to those who have ADA-qualifying events; a medical professional determines what that ADA-qualifying event would be.
- 38.5 Mr. Gardner further explained that if an employee has an ADA-qualified condition and no drivers' license, ORT would be able to provide that employee transportation from home to work five days a week, as long as it was on schedule. He emphasized that with any ADA qualifying event must be scheduled in order for this to work.
- 38.6 H. Bowman asked how the tracking device was working that allows people to track ORT buses on their cell phones; to which Mr. Hatley responded that he

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has not received a lot of feedback on this, but it has been very welcomed whenever he is presenting it. He stated that the students are embracing this faster than the rest of the population.

- 39.1 H. Bowman asked whether arrival times to all stations has been improved; to which Mr. Gardner responded that as far as the tracking information, it allows them to see when the buses are arriving at various times. He noted that this tracking device is one that the generation below him is really grasping.
- 39.2 In response to a question from H. Bowman regarding ridership, Mr. Gardner stated that ridership is going up, and they are looking at about an 18% increase in the month of March 2014 compared to March 2013. He stated that January and February of 2014 compared to 2013, there is about a 10% decrease with 5% less days that they were able to drive because of weather as well as those additional frozen days on top of that they were still working with ridership as low as it could possibly be.
- 39.3 R. Bailey stated that he wished to publically thank Joel Gardner and ORT, noting that each year on Christmas for no charge, they pick up Veterans at Decision Point and take them to the VFW for a dinner which is the only Christmas that they will get.
- 39.4 Mr. Gardner stated that ORT has fully plugged into the Mission of Mercy this year which is scheduled from 4:00 a.m. to 4:00 p.m., Friday and Saturday, May 17 and 18.
- 39.5 Continuing the County Judge's report, Judge Edwards reminded the Quorum Court that the Washington County Spring Cleanup is scheduled for Saturday, April 19, from 8:00 a.m. to 2:00 p.m. for Washington County residents. County residents will be able to discard furniture and construction materials free of charge. All loads must be covered and can be taken to either landfill in Tontitown or the Boston Mountain Solid Waste District in Prairie Grove.
- 39.6 Judge Edwards also provided an update on the Road Department. She stated that this past winter has been hard on the roads, causing a lot of pot holes, and they have been working very diligently to get as many taken care of as they can. The Morrow crusher is currently down with parts ordered; it is vitally important to get the crusher up and running for all of the work that they have to do. She noted that this is a pretty expensive endeavor, but it is less expensive than buying gravel from other people.
- 39.7 Judge Edwards reported on new construction and chip seal projects, stating that they are ready to start chip sealing as soon as they can set up the base,

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and there are warmer weather conditions- Leo Ammons - CR141, Hondura Lane – CR140, Kenyon Lake Road – CR612, Jasper Lake Road – CR199, and Crestview Road – CR1090. Wyman Road – CR48 has been paved and is finished now from the Fayetteville City Limits to the Goshen City Limits which is one of their major collector roads and paving this road will benefit the residents of Washington County. The Road Department also has been working very diligently on Highway 16 which is going under construction. She noted that they have been able to get the Harvey Dowell Road Bridge finished with some paving so people will be able to detour from there and pick up at the Harvey Dowel to miss some of the Highway 16 traffic when construction starts.

- 40.1 COMMITTEE REPORTS: J. Patterson reported that the County Services Committee met on March 31 and heard a report from Juliet Richey, Planning Director of the Washington County Planning Office. He further stated that Animal Shelter Director Angela Ledgerwood reported on the Animal Shelter reporting that about 90% of the Spay/Neuter vouchers for 2013 have been redeemed with four applicants exhausting their total of seven vouchers.
- 40.2 J. Patterson stated that to help with the adoptable euthanasia rate, PetSmart's Rescue Wagon, a transport group working with the Shelter, will take 20 to 40 animals a month. He stated that the first pickup is scheduled for April 4th and 19 puppies will be going, and for each animal taken, \$41.33 will be reimbursed to the County. He noted that the numbers are down, and there is only one Animal Control Officer working in the County.
- 40.3 J. Patterson stated that Ms. Ledgerwood reported statistically only 2% of cats that enter shelters are adopted; the majority of the cats are being sent to Lost Love Animal Rescue. She further reported that the Spay/Neuter Program at the Shelter is going well with 120 surgeries so far this year. Ms. Ledgerwood also reported that their 2013 budget was \$465,000, and their 2014 budget close to \$600,000; to which Mr. Lundstrum pointed out that this equates to almost \$300 per animal.
- 40.4 E. Madison, Chairman of the Public Works Committee, reported that they did not meet this month for lack of an agenda, but they will be meeting next month.
- 40.5 B. Pond, Chairman of the Personnel Committee, reported that the Committee met on April 7 and heard a report from Nelson Driver, Insurance Consultant for Washington County, on employee insurance. He stated that they heard a report from Blair Johanson, Salary Consultant for Washington County, on activities of the Job Evaluation Salary and Administration Program, as well as

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review of benefits study comparison which they will be hearing more on in the future. He stated that the Committee had a discussion about an amendment to the Employee Handbook pertaining travel time. He noted that this has been an ongoing process, and County Attorney George Butler is working on simplifying the amendment. The Committee also reviewed quarterly reports from Human Resources, including new hires, terminations, and turn over analysis.

- 41.1 T. Lundstrum, Chairman of the Jail/Law Enforcement/Courts Committee, reported that this committee met on April 7 and received a report from Jeane Mack, Juvenile Detention Center Director, who reported that numbers have been up just slightly, and there were 25 transports for March. He stated that Jay Cantrell reported on enforcement and adult detention at the Jail, noting that animal calls are up from last year, but there is nothing alarming. He noted that they are short one Animal Control Officer currently, and Sheriff's Deputies are filling in as needed.
- 41.2 T. Lundstrum inquired whether inmates are being signed up for Obama Care so previous conditions would be covered, and Mr. Cantrell stated that they were looking into this to see if it would benefit the county financially.
- 41.3 T. Lundstrum stated that Randall Denzer reported that number of state prisoners is up; there are prisoners being hauled to the state penitentiary, but judges are re-filling those positions almost as quickly which is a matter of concern. Mr. Denzer reported that the total number of inmates at that time was 595 but has been running over 600. The facility holds 720, but with segregation and other issues, over 600 is considered full. Sheriff Helder addressed the committee to let them know that he is working with state officials on this problem with talks of adding 200 new beds at the state level which should help eventually.
- 41.4 T. Lundstrum stated that Sheriff Helder reported on a recent erroneous complaint on a deputy by an inmate, and after viewing investigation, it was unfounded, and the deputy did not do anything inappropriate. Sheriff Helder noted that it is important not to panic when these things come out because there are approximately 300 complaints filed by inmates per week, and there are people who work full time investigating the complaints that are filed.
- 41.5 Judge Edwards stated anytime you have a jail that is overcrowded, there are going to be these kinds of problems, and she believes that Sheriff Helder has handled it beautifully.
- 41.6 C. Clark, Chairman of the Finance and Budget Committee, reported that she had no other business to discuss.

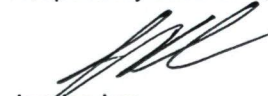
- 42.1 AN EMERGENCY ORDINANCE RATIFYING A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING AND ZONING BOARD: T. Lundstrum introduced **An Emergency Ordinance Ratifying A Conditional Use Permit Granted By The Planning And Zoning Board**, and County Attorney George Butler read the ordinance. The Planning Board granted Conditional Use Permits on April 3 for Blue Springs RV Park (revised). This ordinance contains an emergency clause making it effective immediately upon passage.
- 42.2 Senior Planner Courtney McNair explained that this was for an RV Park that had previously received a CUP but decided to change their plan fairly significantly so they were asked to come back and ask for a different zoning permit as their zoning is very case by case. In response to a question from T. Lundstrum, Ms. McNair stated that there have been no appeals on this CUP.
- 42.3 **J. Patterson made a motion to adopt the ordinance. C. Clark seconded.**
- 42.4 Citizen Comments: There were no citizen comments made.
- 42.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 42.6 VOTING FOR: H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, T. Lundstrum, E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, and R. Bailey. **The motion passed unanimously. The ordinance was adopted.**
- ORDINANCE NO. 2014-18, BOOK NO. 9, PAGE NO. 363**
- 42.7 A RESOLUTION ADOPTING A WRITTEN STATEMENT SETTING OUT THE REASON FOR THE DENIAL OF A CONDITIONAL USE PERMIT REQUESTED BY SMITH COMMUNICATION, LLC: County Attorney George Butler stated that before addressing this resolution they needed to amend Exhibit A to add Ann Harbison's name to the last page. He omitted her name in error.
- 42.8 **C. Clark made a motion to amend Exhibit A of this resolution to add Ann Harbison's name on the last page. B. Fitzpatrick seconded. The motion passed unanimously by those present.**
- 42.9 J. Patterson then introduced **A Resolution Adopting A Written Statement Setting Out The Reason For The Denial Of A Conditional Use Permit Requested By Smith Communications, LLC**, and County Attorney George Butler read the resolution.

- 43.1 **J. Patterson made a motion to adopt the resolution. C. Clark seconded.**
- 43.2 E. Madison asked if they submit this and the District Court says it is not good enough, whether they just keep going back and forth; to which County Attorney George Butler responded that this was their only shot. He further explained that the minutes themselves are filed in record, and this is a highly condensed version of the minutes. He further stated that this is a technicality that has created quite a bit of controversy across the country in terms of whether or not it needs to be separate and what all needs to be done.
- 43.3 B. Fitzpatrick stated that this was remanded back for this point. She questioned if the District Court can still rule that the Quorum Court should or should not have voted that way that they did.
- 43.4 County Attorney George Butler responded to B. Fitzpatrick stating that there has to be substantial evidence in the record as a whole, not just in this statement, as whether to uphold the decision. He verified that the Judge has not ruled yet whether or not he upholds our decision but is just making this one point.
- 43.5 B. Pond stated that this resolution does not really have much to do with whether or not you agree or disagree with the decision; to which County Attorney George Butler responded that this resolution reiterates the decision of the majority of the Quorum Court and confirms the reasons given for that decision.
- 43.6 Citizen Comments: There were no citizen comments made.
- 43.7 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 43.8 VOTING FOR: H. Bowman, D. Bryant, C. Clark, R. Cochran, J. Firmin, B. Fitzpatrick, A. Harbison, E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, and R. Bailey. ABSTENTION: T. Lundstrum **The motion passed with fourteen members voting in favor and one member abstaining. The resolution was adopted.**
- RESOLUTION NO. 2014-04, BOOK NO. 3, PAGE NO. 65**
- 43.9 OTHER BUSINESS: E. Madison reported that she will be attending the Quorum Court Association meeting in Little Rock on Saturday, April 26. She noted that besides being informative, there are Q&A opportunities where they are able to ask the Quorum Court Association questions, as well as the

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- 44.1 Attorneys representing the Risk Management Council. She noted that she will be attending the Board meeting in the afternoon as well. She stated if anyone had any concerns or questions, they would like her to ask as representative of this body, to get them to the Quorum Court Coordinator.
- 44.2 CITIZEN COMMENTS: There were no citizen comments made.
- 44.3 ADJOURNMENT: The meeting adjourned at 6:45 p.m.

Respectfully submitted,



Jessica Ims
Quorum Court Coordinator/Reporter