

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

Thursday, September 18, 2014  
6:00 p.m.  
Washington County Quorum Court Room

2014 OCT 17 PM 12:53  
DEPT. OF REVENUE  
CO. & INCORPORATE CLERK  
WASHINGTON COUNTY

FILED

- 129.1 The Washington County Quorum Court met in regular session on Thursday, September 18, 2014. The meeting was called to order by County Judge Marilyn Edwards.
- 129.2 R. Aman led the Quorum Court in a prayer and in the Pledge of Allegiance.
- 129.3 MEMBERS PRESENT: Ron Aman, Rex Bailey, Harvey Bowman, Diane Bryant, Candy Clark, Rick Cochran, Barbara Fitzpatrick, Ann Harbison, Tom Lundstrum, Eva Madison, Jimmy Mardis, Joe Patterson, Butch Pond, and Bill Ussery.
- 129.4 MEMBER ABSENT: John Firmin.
- 129.5 OTHERS PRESENT: County Judge Marilyn Edwards, County Chief of Staff Dan Short, County Comptroller Cheryl Bolinger; Interested Citizens; and Members of the Press.
- 129.6 ADOPTION OF THE AGENDA: Judge Edwards asked if there were any additions or deletions to the agenda.
- 129.7 C. Clark stated that they needed to add an appropriation ordinance concerning the Jail Fund at the recommendation of the Finance and Budget Committee; and board reappointments to the Northwest Arkansas Regional HIV Clinic Board and Washington County Bar Association.
- 129.8 **C. Clark made a motion to adopt the agenda as amended. B. Pond seconded. The motion passed unanimously by those present by voice vote. The agenda was adopted as amended.**
- 129.9 APPROVAL OF MINUTES: Judge Edwards asked for approval of the minutes of the August 21 regular meeting and the August 25 and September 2 Special Meetings of the Washington County Quorum Court.
- 129.10 **A motion was made and seconded to approve the minutes as distributed. The motion passed unanimously by those present by voice vote. The minutes were approved.**
- 129.11 FINANCE REPORT: C. Clark stated that she had one resolution and four appropriation ordinances from the Finance Committee to address tonight.

- 130.1 A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR AN INTERNET CRIMES AGAINST CHILDREN GRANT: C. Clark introduced **A Resolution Authorizing The Submittal Of An Application For An Internet Crimes Against Children Grant**, and County Attorney George Butler read the resolution.
- 130.2 C. Clark noted that this grant requires no match from the County.
- 130.3 **C. Clark made a motion to adopt the resolution. D. Bryant seconded.**
- 130.4 Citizen Comments: There were no citizen comments made.
- 130.5 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the resolution.**
- 130.6 VOTING FOR: E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, D. Bryant, C. Clark, R. Cochran, B. Fitzpatrick, and T. Lundstrum. **The motion passed unanimously by those present. The resolution was adopted.**
- RESOLUTION NO. 2014-17, BOOK NO. 3, PAGE NO. 84**
- 130.7 AN ORDINANCE TRANSFERRING MONIES OF \$17,500 WITHIN THE COMPUTER/IS DEPARTMENT BUDGET IN THE GENERAL FUND FOR 2014: C. Clark introduced **An Ordinance Transferring Monies Of \$17,500 Within The Computer/IS Department Budget In The General Fund For 2014**, and County Attorney George Butler read the ordinance.
- 130.8 C. Clark explained that this was not new money, but rather a budget adjustment between line items.
- 130.9 **C. Clark made a motion to adopt the ordinance. D. Bryant seconded.**
- 130.10 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 130.11 VOTING FOR: E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, D. Bryant, C. Clark, R. Cochran, B. Fitzpatrick, and T. Lundstrum. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2014-50, BOOK NO. 9, PAGE NO. 420**

131.1 AN ORDINANCE TRANSFERRING MONIES OF \$8,000 WITHIN THE COMPTROLLER'S BUDGET IN THE GENERAL FUND FOR 2014: C, Clark introduced **An Ordinance Transferring Monies Of \$8,000 Within The Comptroller's Budget In The General Fund For 2014**, and County Attorney George Butler read the ordinance.

131.2 C. Clark stated that this was not new money, but simply a budget adjustment.

131.3 **C. Clark made a motion to adopt the ordinance. D. Bryant seconded.**

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

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

**ORDINANCE NO. 2014-51, BOOK NO. 9, PAGE NO. 421**

131.6 **A. Harbison arrived at meeting.**

131.7 AN ORDINANCE CHANGING THE TITLE OF A LAW CLERK POSITION TO A CIRCUIT COURT STAFF ATTORNEY-COUNTY CIRCUIT COURTS POSITION; AND APPROPRIATING \$4,156 FROM THE GENERAL FUND TO PERSONAL SERVICES LINE ITEMS IN THE CIRCUIT COURT IV BUDGET FOR 2014: C. Clark introduced **An Ordinance Changing The Title Of A Law Clerk Position To A Circuit Court Staff Attorney-County Circuit Courts Position; And Appropriating \$4,156 From The General Fund To Personal Services Line Items In The Circuit Court IV Budget For 2014**, and County Attorney George Butler read the ordinance.

131.8 C. Clark asked if they are going to take this ordinance to next month for the second reading, since J. Firmin is not present tonight and A. Harbison just arrived, how they should handle this; to which County Attorney George Butler stated that they can vote on this and if it doesn't pass, then it can come up next month.

131.9 Judge Beaumont addressed the Quorum Court stating that she has created a flow chart and she knew that their Drug Court numbers were up and that they were paying more per user fees into the system, but she was not able to obtain the actual numbers for how much the prior years were and how much they have collected this year. She stated that she obtained 2012 and 2013

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salaries from Human Resources. She stated that the user fees paid to the County that go directly to pay for that salary in 2012 were \$15,874.17 and the cost to the County was almost \$29,500; and in 2013, the user fees paid to the County after she took over increased approximately \$2,000 and were at \$17,642.87 and the cost to the County was \$28,699.53.

- 132.1 Judge Beaumont noted during 2014, their numbers have increased dramatically and they added 62 people to the program since she started back in 2013 and the participants paying the user fees have significantly increased. She reported that thus far through August of this year, the user fees have paid the County \$17,247.61 which is extremely close to the full year of user fees last year. She stated that averaging per month what they are collecting in user fees, not including the increase in numbers in the last couple of months, that would project what they will have paid in user fees for this year at between \$26,000 to \$36,000. She stated that what they are paying for the staff attorney position has increased significantly and based on their Drug Court numbers which continue to grow and she anticipates will continue to grow next year, she projected based on 2015, that those numbers will be higher as far as how much money they are putting into this position. She stated based on those numbers, it appears that with the cost to the County of transferring the Law Clerk Salary from the Prosecutor's Office and making it \$55,952.81 and adding in the APERS and FICA, that would make the projected cost to the County for this year between \$21,500 and 25,000 which is significantly less than what was budgeted last year to pay for this County position, and projections for 2015 would actually continue to decrease the amount that the County is paying for this position. She stated that based on the numbers that she has from this year, they will bring in an extra \$8,000 to \$10,000 this year that they were having to pay through county money which according to the numbers that HR provided, should encompass for a full year the increase that she is asking for this position.
- 132.2 Judge Beaumont stated that she is not asking for any new money and the increase in drug court participant user fees is covering it. She further stated that she wanted T. Lundstrum to know that she contacted the Veteran's Services for Washington County who advised her that they will help fill out paperwork if there are payment problems, help them fill out retired military pay claims for widows, and overpayment waivers. She stated that the VA does not do anything in reference to housing and they stated that the route of going through Boozman's Office was usually where they send people who do not qualify for VA benefits because this does tend to speed up the process.
- 132.3 In response to a question from Judge Edwards, Judge Beaumont stated that she was fine with putting the vote on this off until next month.

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- 133.1 T. Lundstrum stated that he appreciates the fact that there is the extra money coming in, but he has a problem with just changing the job title to justify paying a person more money. He stated that he has been trying for several years to get more money for the County's janitorial staff because they are so lowly paid and this has been an impossible task to accomplish, but he may suggest that they change the title to sanitation staff and give them a \$5 an hour raise. He stated that it doesn't matter to him so much where the money is coming from, but rather it is the principal of taking a \$43,000 job and making it a \$55,000 job which is a very large increase in pay for that position and justifying it by just changing the title of the position.
- 133.2 Judge Beaumont noted that the salary was \$47,964 or almost \$48,000 last year and it is not just as simple as changing the title of the position. She noted that Ms. Darling was a Washington County employee and the county deemed that her experience, training and skills warranted paying her \$55,952.81. She stated that Ms. Darling has already been deemed in a sense worthy for that salary, noting that they have increased her duties dramatically and her qualifications just don't exist because she can do that much more. Judge Beaumont gave an example of a Drug Court participant who came in this week was homeless and staying in a not so good environment. She explained that if they didn't find him some place to live, he would end up back in jail and they all would end up paying for him to sit in the Washington County Jail because they were out committing a new offense or drunk, etc. She noted that Ms. Darling met with this participant the next day and by that afternoon, found him a place to live.
- 133.3 T. Lundstrum responded to Judge Beaumont stating that they have all kinds of facilities in the county for the homeless that all they have to do is make application to. He stated that he just wanted to state his position on this issue for having that significant of a pay raise and she was getting paid by the county because of longevity and the position itself. He stated that this title was changed in this court with that stated reason in mind.
- 133.4 R. Bailey suggested that the VA and Decision Point in Springdale take people in with drug and alcohol problems and he really feels that this should be the VA's responsibility and not that of the Drug Court or this county.
- 133.5 Judge Beaumont responded to R. Bailey that the VA and Decision Point work with them all the time, but the participant has to be a veteran and the one she was talking about was not and another one she had spoken about didn't qualify for VA services even though he was a veteran.

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- 134.1 R. Bailey stated that the County is not in good enough shape financially to give their county employees a raise and pointed out that County Comptroller Cheryl Bolinger and Court Secretary Karen Beeks are two prime examples of employees that work long hours and deserve a raise. He stated if they give this court employee a 27% raise, he wouldn't be able to look either Cheryl or Karen in the eyes.
- 134.2 Judge Beaumont responded to R. Bailey that she wouldn't be getting a 27% raise because she would get the same salary she was receiving three months ago from the county.
- 134.3 R. Bailey pointed out that this employee was not asked to take this job and somehow Judge Beaumont would need to make up the difference. He further stated that he will not support this salary increase while not giving the people that he represents a raise and doesn't see how anyone on the Quorum Court could justify it.
- 134.4 Judge Beaumont stated even though it would not cost the county anything; to which R. Bailey reiterated that she voluntarily took the position with the decreased salary.
- 134.5 B. Ussery stated that he is looking at this from a completely different point of view – not what this would cost the county, but rather what it would save them. He stated that there are a whole lot of things that they can find to throw rocks at with the way that this came about, but the bottom line is if she keeps 5 people out of jail for the rest of this year, that money has already been reimbursed to the county. He stated that they have an opportunity to save money by not throwing people in jail and that is why he will support this ordinance. Secondly, he pointed out the value of a human being because sometimes you only get one shot when you are at the bottom and when they walk out the door, they may never come back and spend the rest of their life in jail.
- 134.6 **E. Madison made a motion to cut off the debate. B. Fitzpatrick seconded.**
- 134.7 In response to a question from Judge Beaumont, County Attorney George Butler stated that this ordinance will automatically come up on the agenda next month and the County Judge establishes the agenda.
- 134.8 C. Clark asked for a point of information that if they cut off the debate, that

just automatically puts this on the agenda next month for the second reading absent any further motions and County Attorney George Butler verified the same.

- 135.1 **Judge Edwards called for a vote on the motion to cut off the debate.**
- 135.2 **VOTING FOR:** E. Madison, J. Mardis, B. Ussery, R. Aman, R. Bailey, D. Bryant, and C. Clark. **VOTING AGAINST:** J. Patterson, B. Pond, H. Bowman, R. Cochran, B. Fitzpatrick, A. Harbison, and T. Lundstrum. **The motion failed with seven members voting for and seven members voting against the motion.**
- 135.3 Judge Edwards stated that there were not enough votes to cut off the debate.
- 135.4 H. Bowman stated that he has made himself clear regarding a performance based compensation program and he believes that they have found a person here doing a phenomenal job for the Drug Court and performing at a much higher level than what they have seen before. He addressed R. Bailey's statement about county employees deserving a salary increase, stating with a performance based compensation program, that would be possible, as would it with the janitorial staff.
- 135.5 A. Harbison stated that she is aware that money is tight, but she will be supporting this ordinance as she concurs with B. Ussery that this is saving human lives and making productive citizens of people who have had problems in the past. She stated that this will save them money in the long run, not cost them money and the \$4,000 that they are quibbling over is so minute in this situation. She pointed out if they don't approve the increase and lose this employee, they will just have to look for someone else who can do the same thing and that may take time.
- 135.6 **A. Harbison made a motion to adopt the ordinance. R. Cochran seconded.**
- 135.7 County Attorney explained that they would need 10 votes to pass the ordinance tonight on one reading and if they get less than 10 votes, it automatically rolls over to second reading next month. He further stated that on third reading, it will take eight votes to pass.
- 135.8 B. Pond stated that he will be supporting this ordinance, pointing out that there are probably a lot of county employees who deserve more money than they are making, but are they really earning it and doing something to give back to the people of this county. From what he has heard in reports on this

young lady, she is more than giving back to the taxpayers of this county in the things that she does. In both the long run and even short run, it appears that she is saving the county tax money keeping people out of jail. He stated that they are not giving her a pay increase, because they are just trying to give her the same amount of pay that she was making at the Prosecutor's Office. He stated he does not believe that anyone at the Prosecutor's Office is helping the county in anyway to keep people out of jail or help to make them more productive citizens.

- 136.1 R. Cochran stated that he applied a formula in their earlier meeting that took a base salary of this position, added a percentage for each year of experience, for the qualifications of that position, and added a bump because that is what you do when you want an A+ player on your team. He stated that this person is that caliber and in a previous position with the county was paid that same salary. He stated that he finds no fault in paying this salary because they need the quality employees. He stated when you have performance based pay, you get performance from your employees. He commended Judge Beaumont for coming here and challenging the Quorum Court to do the right thing and he will be supporting this ordinance.
- 136.2 R. Bailey stated that he has no problem with paying for performance as he had previously given two examples of high performances that may not get a raise. However, in this case, he will not change his mind and will not support the ordinance.
- 136.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 136.4 **VOTING FOR: J. Mardis, B. Pond, B. Ussery, H. Bowman, D. Bryant, R. Cochran, B. Fitzpatrick, and A. Harbison. VOTING AGAINST: E. Madison, J. Patterson, R. Aman, R. Bailey, D. Bryant, and T. Lundstrum. **The motion failed with eight members voting in favor and six members voting against the motion.****
- 136.5 Judge Edwards stated that the ordinance will be on the agenda again next month.
- 136.6 C. Clark suggested that they do as they did with the Early Voting locations and hold special meetings next week prior to their committee meetings to take up the second and third reading of this ordinance.
- 136.7 **A. Harbison made a motion that they hold Special Quorum Court**



**Meetings on Monday, September 22 and Tuesday, September 23 at 5:30 p.m. before committee meetings. D. Bryant seconded. The motion passed by voice vote.**

- 137.1 E. Madison stated that they need to remember calling special meetings is usually done to benefit every citizen of the county and they have now set special meetings for a single county employee which she sees as a bad precedent to be setting.
- 137.2 B. Fitzpatrick responded to E. Madison that this is not for a single county employee, but for every single person who goes through the Drug Court Program.
- 137.3 C. Clark stated that they have already voted on this and will be taking it back up on Monday, suggesting that they stop this discussion and continue with their agenda.
- 137.4 AN ORDINANCE APPROPRIATING \$340,000 FROM GENERAL FUND TO THE TRANSFERS OUT BUDGET; RECOGNIZING REVENUE OF \$340,000 IN THE JAIL FUND; AND APPROPRIATING THE AMOUNT OF \$340,000 FROM THE JAIL FUND TO THE JAIL BUDGET FOR 2014: C. Clark
- 137.5 Introduced **An Ordinance Appropriating \$340,000 From General Fund To The Transfers Out Budget; Recognizing Revenue Of \$340,000 In The Jail Fund; And Appropriating The Amount Of \$340,000 From The Jail Fund To The Jail Budget For 2014**, and County Attorney George Butler read the ordinance.
- 137.6 C. Clark explained that this was a line item transfer to cover medical expenses in the new program at the jail and bump up food. She stated that there was no new money, just transferring.
- 137.7 **C. Clark made a motion to adopt the ordinance. B. Pond seconded.**
- 137.8 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 137.9 **VOTING FOR:** E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, D. Bryant, C. Clark, R. Cochran, B. Fitzpatrick, A. Harbison, and T. Lundstrum. **The motion passed unanimously by those present. The ordinance was adopted.**

**ORDINANCE NO. 2014-52, BOOK NO. 9, PAGE NO. 422**

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- 138.1 C. Clark concluded her report stating that sales tax was up and budgets were fine.
- 138.2 COUNTY JUDGE'S REPORT: Board Reappointments - Judge Edwards stated that she would like to recommend the reappointment of Rick Johnson for another 3-year term to the Northwest Arkansas Regional HIV Clinic Board. Further, she reported that the Washington County Bar Association has recommended the reappointment of George Butler to the Law Library Board.
- 138.3 **C. Clark made a motion to confirm these reappointments. B. Fitzpatrick seconded. The motion passed unanimously by those present by voice vote. The reappointments were confirmed.**
- 138.4 Update from Ozark Regional Transit – Joel Gardner, Executive Director of Ozark Regional Transit, addressed the Quorum Court stating that he was there to provide a semi-monthly update on ORT. As an organization, last year compared to this year shows overall ridership is up 5%; on the fixed route, ridership was up 2.8%; and on demand response and para-transit was up 34.1%. He noted that the 34.1% is really what this Quorum Court was interested in on how they get people within the more rural areas, outside of Springdale and Fayetteville, rides connecting them to doctors, schools, etc. He stated that one of the things the Quorum Court authorized was \$122,970 from the Constitutional Amendment #1 which provided for the Route 620 which is a fixed route connecting West Fork up through Greenland, past Central Lot 56 in Fayetteville, then out to Farmington, Prairie Grove and Lincoln. Mr. Gardner reported in his opinion, that route has been going swimmingly well, noting that they have picked up people riding the fixed route in every community mentioned. He stated as far as origin of the trips for the Washington County demand response trips, 4,659 trips have been made so far this year, including some of the return trips coming from Fayetteville and Springdale.
- 138.5 Mr. Gardner stated that they have themselves to the point where over the last two weeks, their regular scheduled trips for the demand response has hit new records. He stated another new record that they are hitting is the fact that they have actually served 192 days without a preventable accident, noting that 192 days roughly translates into 648,722 miles over 43,915 man hours without a preventable accident. He stated that they are spending the time necessary to increase the effectiveness, overall safety and reliability of the public transit system that serves Washington County. He stated with all of the additional services, they also measure road calls or vehicle failure on the road by maintenance, and have reduced their road calls by 30%.
- 138.6 Mr. Gardner thanked the Quorum Court for their support this past year.

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- 139.1 R. Bailey reported that he has not received a complaint this year on ORT and he appreciates that.
- 139.2 T. Lundstrum stated that he is not fond of percentages and asked if Mr. Gardner had the numbers of increased riders from rural areas on the demand response service.
- 139.3 Mr. Gardner responded to T. Lundstrum that on a 34% increase globally for the entire system, for the month of August 2013 they moved 1,710 people and for the month of August 2014 they moved 2,676 people. He noted that year-to-date through August in 2013, it was 13,250 people and year-to-date through August 2014, it was 17,765. He stated that he does not have those numbers specifically for Washington County, but can get them.
- 139.4 J. Firmin asked who made the decision to stop at Prairie Grove at the City Hall; to which Mr. Gardner responded that he made that decision. J. Firmin commented that this location is furthest from the businesses in Prairie Grove that you can get. Mr. Gardner stated that this was one of the requested areas, as well as just south of the grocery store at the major intersection, on the backside of where the baseball fields are in the park, and the Neighborhood Market. J. Firmin stated that he didn't realize that there were other stops as well. Mr. Gardner stated that the idea is for ORT to provide stops in the areas where people have indicated during the community meetings that they would like them to stop for one reason or another. He further reported that the biggest complaint that he has about this Route 620 is people calling to report that it does not quite meet their schedules. He stated that about the only thing that they can do to remedy this would be to put two buses on the route, but he just doesn't have the fleet to do that at this point in time.
- 139.5 In response to a question from Judge Edwards, Mr. Gardner stated when ORT started serving Washington County, they had 14 buses and they now have 20 buses, so they have grown the fleet to just about maximizing it on any given day. He stated if things go well with their push for surface transportation program money, they will be able to increase their fleet for Washington County.
- 139.6 County Road Report – Judge Edwards stated that she was going to skip this report as there was nothing new to report.
- 139.7 COMMITTEE REPORTS: B. Pond, Chairman of the Personnel Committee, reported that this committee met on September 8 and heard a request from Circuit Judge Cristi Beaumont to increase the salary of a Law Clerk position and passed it onto the Finance Committee with a do-pass recommendation.

He stated that they further passed onto the Full Quorum Court consideration of an amendment to the Employee Handbook Overtime Compensation Policy.

- 140.1 County Attorney George Butler noted in the Employee Handbook under 15 – Overtime Compensation, paragraph A, the following highlighted language was added, “Any employee that meets the definition of an executive, administrative, or professional employee, as set forth in the Fair Labor Standards Act, shall be paid as an exempt employee by Washington County **except for exempt employees of the Sheriff’s Department if specifically agreed to by the Quorum Court.**
- 140.2 **A. Harbison made a motion to approve the amendment to the Employee Handbook. The motion was seconded.**
- 140.3 **With no further discussion, Judge Edwards called for a vote on the motion to approve the amendment to the Employee Handbook.**
- 140.4 **VOTING FOR: E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, D. Bryant, C. Clark, R. Cochran, B. Fitzpatrick, A. Harbison, and T. Lundstrum. The motion passed unanimously by those present. The amendment to the Employee Handbook was approved.**
- 140.5 County Attorney George Butler stated related to this, there are officers that are signed up to work this weekend at the University and the University needs to know how to pay them. He stated that there is a contract from the University for the Quorum Court to authorize the exemption and they would need a motion from the Quorum Court to pay exempt employees overtime.
- 140.6 **A motion was made and seconded to pay any employee that meets the definition of an executive, administrative, or professional employee, as set forth in the Fair Labor Standards Act, shall be paid as an exempt employee by Washington County except for exempt employees of the Sheriff’s Department if specifically agreed to by the Quorum Court.**
- 140.7 J. Patterson, Chairman of the County Services Committee, reported that they met on September 2 and heard a report from County Planning Director Juliet Richey noting that things have really picked up over the past few months, but nothing that the committee had to deal with. He further reported that the committee heard a report from the Animal Shelter and had discussion on various issues trying to make it work.
- 140.8 E. Madison, Chairman of the Public Works Committee, reported that that this committee did not meet due to lack of an agenda.

- 141.1 T. Lundstrum, Chairman of the Jail/Law Enforcement/Courts Committee reported that this committee met on September 8 and heard monthly reports from the Juvenile Detention Facility and Sheriff's Office on enforcement and adult detention. Juvenile Detention Director, Jeane Mack, reported that the numbers were remaining low and they had 14 transports last month. Chief Deputy, Jay Cantrell, reported from the Sheriff's Office that everything was pretty much normal except that they still have a lot of state prisoners, noting that year-to-date they have had 56,000 boarding days for state prisoners this year vs. 35,000 boarding days last year at this time. However, it was reported that the State is paying very well for their prisoners and hopefully they will get an increase on that. He noted that Sheriff Tim Helder gave an update on a medical provider for the Adult Detention Facility, stating that five companies turned in qualifications and the Department has narrowed it down to one company and County Attorney George Butler is working on a contract with them.
- 141.2 C. Clark, Chairman of the Finance and Budget Committees stated she had nothing further to report.
- 141.3 AN EMERGENCY ORDINANCE RATIFYING THE APPROVAL OF FOUR CONDITIONAL USE PERMITS AND THE DENIAL OF A CONDITIONAL USE PERMIT ISSUED BY THE PLANNING AND ZONING BOARD: J. Patterson introduced **An Emergency Ordinance Ratifying The Approval Of Four Conditional Use Permits And The Denial Of A Conditional Use Permit Issued By The Planning And Zoning Board**, and County Attorney George Butler read the ordinance. The Planning Board granted Conditional Use Permits on September 4 for Teen Challenge Ranch of NWA Revised Expansion (Administrative Building), Saddlebock, Hale Mountain Free Holiness Church, and W. Wheeler Cell Tower; and denied a Conditional Use Permit on September 4 for Witter. This ordinance contains an emergency clause making it effective immediately upon passage.
- 141.4 In response to a question from R. Bailey, County Attorney George Butler stated that Witter could have appealed to the Quorum Court, but instead decided to resubmit to the Planning Board with some small changes which is why she presented it for ratification.
- 141.5 Planning Director Juliet Richey stated that the applicant decided instead of appealing, they would make some changes to their submittal and are on the next agenda.
- 141.6 County Attorney George Butler noted that there was a CUP that was not included because they know this will be appealed.

- 142.1 **J. Patterson made a motion to adopt the ordinance. D. Bryant seconded.**
- 142.2 Citizen Comments: There were no citizen comments made.
- 142.3 **With no further discussion, Judge Edwards called for a vote on the motion to adopt the ordinance.**
- 142.4 VOTING FOR: E. Madison, J. Mardis, J. Patterson, B. Pond, B. Ussery, R. Aman, R. Bailey, H. Bowman, D. Bryant, C. Clark, R. Cochran, B. Fitzpatrick, A. Harbison, and T. Lundstrum. **The motion passed unanimously by those present. The ordinance was adopted.**
- ORDINANCE NO. 2014-53, BOOK NO. 9, PAGE NO. 423**
- 142.5 OTHER BUSINESS: E. Madison reported as the AAC representative for this Quorum Court, she also sits on the Board of the Quorum Courts Association for the Third Congressional District and they called an emergency meeting of the board to consider some legislation regarding the salary ranges set for elected officials. She stated that the AAC had passed a statute that said that every elected county official would have 3% increases in the salary range every year and the Attorney General recently gave an opinion that this did not include Quorum Court members because they are township officers, not county officers. She stated that the AAC wanted to add in Quorum Court members and the statute sets a range depending on the size of the county for the minimum and maximum and then they decide where in that range the Quorum Court should be. She stated that the Quorum Court was sort of stuck at this one place because they had not been included in these increases, so the Board voted to have it as part of the Legislative Packet that the AAC would have during the next legislative session. She noted that 3% of \$125 is not a lot, so the increase for the Quorum Court is pretty minor.
- 142.6 E. Madison further reported that the Board also put forth the statewide initiative to have alcohol be a state issue instead of a local issue. She noted that the County Judge's Association had something on that, so there was a move at their Board meeting to have the Quorum Court's Association discuss this, but during the conference call, she begged off and asked that they please delay this. She asked that the Quorum Court think about their position on that because she has no idea what everyone's sentiments were on this issue. She reported that the County Judge's Association voted to oppose that initiative because they feel that alcohol sales should be a local issue, but for many of our districts, this is already a decided issue.

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- 143.1 H. Bowman asked E. Madison whether they passed a resolution about insisting on a 3% raise for all elected officials.
- 143.2 E. Madison responded to H. Bowman, stating that the existing statute had a sort of cost of living adjustment for those ranges for elected officials every year and that range has increased 3% automatically every year by state statute and Justices of the Peace were excluded from that because of the Attorney General's interpretation. She stated that there is still a range and nothing forces the County to raise the JP's unless they were at the minimum, and then they are required to be raised by 3%, but this was already law. She stated that the only thing that they voted on was to ask the Legislature to include JPs in that.
- 143.3 CITIZEN COMMENTS: There were no citizen comments made.
- 143.4 ADJOURNMENT: The meeting adjourned at 7:10 p.m.

Respectfully submitted,

  
Jessica Ims  
Quorum Court Coordinator/Reporter